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Decentralization and Local Governance Network

# CIVIL SOCIETY PARTICIPATION AND ACCOUNTABILITY IN LOCAL GOVERNANCE PROCESSES

# PART II - EIGHT CASE STUDIES ON SDC LOCAL GOVERNANCE PROGRAMMES



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# SOCIAL ACCOUNTABILITY IN A FRAGILE AND CONFLICT AFFECTED SITUATION

## Afghanistan: Improved Livelihood of Rural Communities (ILRC)



An Afghan dialogue group

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Zürich, August 2012

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# List of Abbreviations

| | |
|---|---|
| ANDMA | Afghanistan National Disaster Management Authority |
| CDC | Non-State Community Development Councils |
| DDA | Non-State District Development Assemblies |
| EIG | Economic Interest Group |
| GIRoA | Government of the Islamic Republic of Afghanistan |
| ILRC | Improved Livelihood of Rural Communities |
| MoEW | Ministry of Energy and Water |
| MAIL | Ministry of Agriculture, Irrigation and Livestock |
| MRRD | Ministry of Rural Rehabilitation and Development |
| NABDP | National Area Based Development Program |
| NSP | Afghan National Solidarity Programme |
| NATO | North Atlantic Treaty Organisation |
| SDC | Swiss Development Cooperation |

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# 1.    Background

The case study focuses on the outcomes and impacts of social audit practices in the framework of the Improved Livelihood of Rural Communities (ILRC) project implemented by HELVETAS Swiss Intercooperation in Afghanistan. This project aims at improving livelihoods and resilience of the communities in the target districts through economic development and sustainable water and land management for the benefit of both men and women, while strengthening local actors. The ILRC project, funded by the Swiss Agency for Development and Cooperation (SDC), started in 2006 and completed its second phase at the end of February 2012. In the second phase, ILRC focused on three pillars: a) social development, i.e. education, public health and governance; b) economic development, i.e. food security and farm and non-farm income; and c) Disaster Risk Reduction. SDC's new cooperation strategy for 2012-14 in the livelihood area focuses on fewer partners, geographical regions and themes.

This implies a major change for the orientation of the 3rd phase of ILRC i.e. to reduce the number of provinces, eliminate topics like education and public health, and concentrate instead on water(sheds), land and water management as well as economic development. Even though social audits are not specifically mentioned in the Swiss Cooperation Strategy for Afghanistan in 2012-2014, the activity is embedded in the following domain of intervention: Governance and Human Rights, with the domain goal to contribute at sub-national level to inclusive governance, enhance the availability and accessibility of public services and the promotion of Human Rights, especially of women. Consequently, phase III of ILRC envisages to enhance the self-subsistence and income of rural households by diversifying on-farm activities, reduce the vulnerability of communities to natural hazards and improve their living conditions by enhanced and socially inclusive water and land use management.

The main implementing partners at community and district level are the non-state Community Development Councils (CDCs), non-state District Development Assemblies (DDAs) and Economic Interest Groups (EIGs). At provincial and national level the project works with the provincial and district governments and the line ministries (MAIL, MRRD, ANDMA and MoEW), which - depending on the thematic interventions of the project -  are present up to the district level. Given the culturally sensitive and conflictive context, it is crucial that the project constantly consults with all stakeholders and gets the consent of the traditional councils (e.g. Shuras) as well as the mullahs, even though district governors and provincial governors are the formal government representatives in the project area. For information, coordination and monitoring purposes, the project stays in contact with the governors and the line ministries. The project is implemented in Saighan and Kahmard district (Bamyan province), Ruy-e-Doab district (Samagan Province) and Tala-wa-Barfak district (Baghlan Province). Despite the large number of activities of ILRC, this paper will specifically focus on the aspect of social accountability as in the social audit practice, which is part of the ILRC project.

# 2.    Context and Power Analysis

The 2003 the Loya Jirga, i.e. grand assembly which debates important national political or emergency matters, discussed and approved a constitution that proposes an inclusive and accountable Afghan government structure. The Afghan constitution foresees a more highly centralised government than what had historically been acceptable for Afghanistan. Nevertheless, initially the direct election of mayors and of district, city, and village councils was foreseen. In practice, the President now appoints most these positions. The sub-national government structure is therefore a mix of appointed officials (such as provincial and district governors), formally elected representatives (provincial councillors), less formal structures such as Community Development Councils which are elected by the community members, and informal structures such as traditional Shuras. Afghanistan's governance system, especially its sub-national entities, is typically

characterised by informality and de facto decentralisation. This has resulted in an total lack of official mechanisms for governmental accountability at the provincial, district or municipal level. Local communities do not have any means of recourse if local officials are corrupt or fall short of delivering.

The main partners of the project for planning and implementing activities are the non-state Community Development Councils (CDCs). These councils were established under the Afghan National Solidarity Programme (NSP/MRRD) and are the only elected body at village level even though they still are informal entities. Similarly the non-state District Development Assemblies (DDAs), were also established under the National Area Based Development Program (NABDP/MRRD) and are composed of representatives from the CDCs. The CDCs are the social and development institution at community level. As such they are responsible for the implementation and supervision of development projects as well as liaising between the communities and government and non-governmental organisations.

The collaboration of the ILRC project with the CDCs is based on a) a Code of Conduct which is discussed, agreed upon and has to be signed by the CDC before the project takes up any activity with a community, and b) a four-party-agreement, which is signed between the respective CDC, the District Development Authority, the District Government and HELVETAS Swiss Intercooperation. The table below illustrates the government structure and other actors at different levels.

| | Government structure | Elected and Traditional Citizen Representation | Other Actors |
|---|---|---|---|
| **Central** | • President <br>• Ministries <br>• Afghan National Security Forces (ANSF) | • Parliament <br>• Meshrano Jirgah | • Political Parties / Commanders <br>• Armed Opposition Groups (AOG) <br>• UN-Agencies <br>• NGO |
| **Provincial (Bamyan)** | • Governor <br>• Ministry Departments/Sectors <br>• Afghan National Army (ANA) <br>• Chief of Police <br>• Intelligence | • Provincial Council <br>• Provincial Development Committees <br>• Sectoral Council <br>• Ulema Council | • Political Parties / Commanders <br>• Provincial Reconstruction Team (PRT) <br>• UN-Agencies <br>• NGO |
| **District (Kahmard)** | • Governor <br>• Ministry Departments (DRRD, DAIL, DoE, DoPH, DoJ, etc.) <br>• Chief of Police <br>• Intelligence | • District Development Assembly (DDA) <br>• Ulema Council | • Political Parties / Commanders <br>• Armed Opposition Groups (AOG) <br>• Provincial Reconstruction Team (PRT) <br>• NGO |
| **Village** | • School and Health Clinics | • Community Development Council (CDC) <br>• Arbab <br>• Imam <br>• Elders <br>• Mirab <br>• Watershed Committees / CBDRM Committees | • Political Parties / Commanders <br>• Armed Opposition Groups (AOG) |

Source: Own illustration

**Effectiveness:** Formally, Afghanistan's current government system remains highly centralised in its decision-making, planning processes and budgetary mechanisms. Despite their local influence, sub-national entities are commonly characterised by their lack of connection up the governance chain to the central government in Kabul. Also there is no political and legal clarity regarding the future structure of the sub-national governance system and the respective mandates of its constituent

institutions, particularly as they relate to the official establishment and roles of representative bodies at various sub-national levels. Also, the process of defining accountability at the district-level has been hindered by the fragmented, inconsistent and often donor-driven nature of the sub-national governance agenda.

**Legitimacy:** President Hamid Karzai directly appoints province and district governors. District level authorities do not have a lot of decision-making power and inclusive decision-making is neither practiced nor institutionalised. Furthermore, at district level de facto mostly NGOs decide because of their role as service deliverers, e.g. in education, health, road construction, etc. At provincial level, the Government leads most of the development activities. It is involved in the establishment of services, including specific services for different ethnic groups - always according to the respective governor's preferences. By and large, remote communities are not provided with access to security and are excluded from service delivery. If disputes or conflicts arise at local level, they are generally resolved through traditional actors (perceived as rather effective and fair). If conflicts cannot be resolved locally, official justice takes over, even though it is perceived as unjust and rampant with corruption. People therefore generally try to avoid involving the government and settle disputes locally. Other local actors that take up grievances are CDCs, DDAs, traditional actors (Mullahs) and the District Government (Attorney Department). In the case of conflict, the District Governor him-/ herself frequently acts through traditional channels (elders, Mullah) too. In the case of Taliban presence in the districts, people do not dare to approach the Government on most matters. In these cases conflicts are solved by the Taliban, in worst case by the Quetta Shura in Pakistan.

**Authority:** The North Atlantic Treaty Organisation (NATO) assumed command of the International Security Assistance Force (ISAF) in Afghanistan in August 2003. NATO's main role is to assist the Afghan Government in exercising and extending its authority across the country and creating a secure environment in view of paving the way for reconstruction and effective governance. At its Lisbon summit in November 2010, NATO agreed to gradually hand-over security responsibilities to the Afghan National Security Forces by end of 2014. In addition to the provincial and district governors appointed by President Hamid Karzai, Afghanistan's provinces and districts frequently also have a Taliban "shadow governor" and, in some cases, a shadow government. Unofficially it is said that all provinces have shadow governors, which is for obvious reasons not confirmed by the official Government of Afghanistan. Some also claim that in certain provinces and districts, the Taliban have appointed their own police chiefs and judges who are fully operational and separate from the institutions of the GIRoA. The local shadow governments of the Taliban do not seem to have predefined strategies for operations since commanders adopt strategies based on local circumstances. This operational flexibility allows the Taliban to plan locally and to adjust based upon real-time intelligence gathered by networks and informants. This network like working mode makes it difficult for the GIRoA and foreign forces to undermine the operations of the Taliban by removing a single point in the command structure.

**Power:** As mentioned above official power is highly centralised, which is illustrated by the following. First, the fact that the President himself appoints district and provincial governors. Second, the hybrid sub-national government structure with appointed officials, formally elected representatives (provincial councillors). Third, by the important role of less formal structures such as CDCs and informal structures like traditional Shuras. Also, district governors and provincial governors are the government representatives in the project area. Up to the district level, line ministries are present with their offices. Official and unofficial representatives of Armed Opposition Groups (including Taliban) and political parties are other powerful actors. Local power is therefore characterised by a hybrid mixture of informality and de facto decentralisation with the CDCs being the only elected and representative, yet informal entity.

**Sources of Tensions and positive elements:**

The main sources of tensions in the current situation are:

- Individuals (e.g. former commanders) intending to enlarge their influence, based on former power positions;
- Former CDC members who have not been re-elected but still act as representatives of the community;
- CDC / community members who try to draw personal benefits from the activities of the project;
- Activities aiming at the empowerment of women (e.g. access to school for girls and their participation in social audits) contradict with strong cultural / religious beliefs that prevent the participation of women;
- Competing political parties within one CDC;
- People who feel held responsible by the community in the case of inexplicable differences in budgets (dignity);
- Former CDC members that still think they are in power (unclear power structures, traditional systems contradicting with more recent structures).

However there are also opportunities and positive elements enabling participatory local governance processes:

- CDCs are bodies elected by the communities;
- Trust between NGO and communities is greatly enhanced (since the introduction of social audits);

The fact that NGOs are taking over governmental roles because of the absence of a functioning Government at local level, sometimes is a source of tension. This highly exposed and contradictory role is closely monitored by NGOs to assess their impact on the context.

## 3.    Mechanisms of Social Accountability in Afghanistan

The National Solidarity Programme (NSP) which created the conditions for social accountability in Afghanistan was established in 2003 by the Ministry of Rural Rehabilitation and Development (MRRD) to develop the ability of Afghan communities to identify, plan, manage and monitor their own development projects. The key objective of the NSP is to build, strengthen and maintain Community Development Councils (CDCs) as effective institutions for local governance and social-economic development.

The NSP stipulates that all communities undertake a basic form of social audit. Social audit here is defined as a community wide basic audit of all used NSP block grants against approved subprojects, actual expenditure and compliance with the NSP accounting and procurement regulations / forms (not applicable to other public finances). The CDCs are required to share all the essential information with the community to make such audits possible. All community members that are eligible voters for the CDC election are allowed to review the documentation and to question the CDC on all information stated in the documents.

HELVETAS Swiss Intercooperation takes up the NSP logic in its project and supports the executive committee members of the CDCs. The social audits are organised by the non-formal Community Development Councils as primary accountability mechanism. The aim is to present the financial report to community members and inform them about the overall budget, physical progress and expenditure of SDC / HELVETAS Swiss Intercooperation-financed project activities. The CDCs invite all male community members, the DDA, representatives of the district government and the relevant line ministries to participate in the social audits. Social audits are conducted at two specific moments

in time. On the one hand, each time a financial instalment has been spent and before a further instalment is requested. On the other hand, after completion of each project.

Due to cultural and religious issues, women are not allowed to formally participate in the social audits. There is no institutionalised mechanism through which women can have their own social audit or are informed about the one held by the men.

In addition to the social audits, the members of the communities are invited to participate in the planning of their development activities in a Community Development Planning event. The social audits allow them to stay informed regarding defined activities / projects and to control their (physical and financial) progress. The planning and social audit events are open to all members of the community – except women – and participants are encouraged to give their opinion on the information presented to them. The agenda of the social audits is set by the CDC members and if needed supported by HELVETAS Swiss Intercooperation staff. Since the communities elect the CDCs, they are mainly accountable to the community members, but also to the representatives of the local government and the line ministries. If there are critical issues to be discussed and decided on in the frame of the social audits, final decisions are taken by the CDC members, the elders and the Mullahs (if they are not members of the CDCs). Social audits as such are not spaces for decision-making.

The CDCs are factually Civil Society organisations. Consequently, by strengthening them and thanks to the social audits, the community members are better informed about the projects implemented in their villages, how they are implemented and how the finances are used. The district governors and the relevant sectors are invited to participate in the Community Development Planning of the ILRC project as well as in the social audits conducted by the CDCs. Some of the provincial and district governor's offices conduct Public Hearings themselves, which are also attended by CDC / DDA members and the project staff. Although the government authorises CDCs, the implementation of social audits is based on an agreement between the CDCs, the DDA, the local government and HELVETAS Swiss Intercooperation. For the implementation of projects financed through the National Solidarity Programme, the implementation of social audits is compulsory. In the case of NGO financed activities, no official specifications exist in terms of Social Audits.

Women, i.e. the least powerful group in the Afghan society, are not able to raise their voices in public. To avoid putting women in dangerous positions, the project stays away from trying to strengthen public voices of women. However, the project tries to provide or support special spaces, like Women Resource Centres, where women can discuss different issues among themselves and subsequently communicate their opinions and ideas through the CDC chairman to the CDC and the community. Existing power relations are not directly changed through social audit practices, but at least personal gains of few individuals can be avoided. Also it has planted the seed of transparent and inclusive decision-making in many communities.

Capacity building for project staff as well as for the CDC members is crucial. In order to introduce social audits, project staff conducted the social audits with the communities instead of just assisting and supporting the CDC members in doing so. In the meantime, CDCs have learned how to conduct a social audit and community members demand the audits from the CDCs if they not conducted on time. To widen common space for local governments and Civil Society Organisations (i.e. CDCs), representatives of local governments are invited to participate in the social audits. Also, the project supports CDC and DDA members so they can participate in the Public Hearings organised by the local government and the line ministries. Genuine participatory agenda-setting is supported through the elaboration of Community Development Plans with the communities, but remains a huge challenge. Two major challenges are the very low level of education and the consequences of the decades of humanitarian aid distributed in the communities. Social audit practices do not facilitate budgeting and are not part of the government structure – the latter being completely absent at the implementation level of the ILRC project. However, CDCs are mostly perceived as legitimate bodies

and any open interaction between them and the communities promotes peoples understanding of responsiveness and creates trust between the communities, CDCs, DDAs. Communities trust mainly the CDCs, DDAs, NGOs, Elders and the mullahs.

As there is almost no service delivery from the official governmental structure, relations with it is limited and trust is weak. As mentioned above, government services rarely reach isolated and marginalised communities. In this context, the social audit is – apart from being an instrument for accountability – also a complaint mechanism where rights (though limited to the implemented activities) can be claimed. For example, watershed workers did not receive their pay for digging trenches as agreed in the contract with the CDC. They mentioned this in the social audit and finally got the payment they were entitled to. Usually, corrective measures are taken once a complaint is expressed in a social audit. During the social audit, every participant has the right to express his opinion and also to complain about any unsatisfactory issue. Since this type of open democratic dialogue is new to the Afghan context, there are certain risks involved. Complaints expressed in public can for example have an impact on the dignity of the accused person. This, in an Afghan context where the upholding of dignity is crucial, can lead to serious problems within the community.

The introduction of social audits has greatly enhanced the accountability of the CDCs, which has a major impact on social accountability at the local level. Even corruption can be discovered and prevented through social audits. Also, by including the DDAs in the local level social audits, the project encourages vertical communication and ultimately accountability on a higher level. At the same time, social audits promote access to information for the members of the community, strengthening the realisation of the Right to Information.

Because of the difficult environment, the project could not yet work on policy changes to enhance accountability on a larger scale or promote the introduction of social audits into the formal structure. CDCs are working on the local level and at present remain rather unaware of national policies, programmes and / or legislation. Similarly, due to the sensitivity of the situation, national advocacy groups have not yet been chosen as partners in the ILRC project.

## 4. Analysis and Main Lessons Learnt

Even though the environment for development activities in Afghanistan is challenging, the ILRC project was able to achieve numerous outcomes: 64% of the 348 existing CDCs in the 5 target districts and at least 50% of the population of these CDCs have been reached. Farming, livestock and health conditions were improved, 54 CDCs have elaborated disaster management plans and finally 69 protective infrastructure projects have been realised to the benefit of more than 80'000 persons.

Local level government is absent in the Afghan context. Nevertheless, participatory and responsive mechanisms such as the social audits, have significantly enhanced the relationship and communication between the communities, the CDCs, the DDAs and government representatives. At the same time, this mechanism has been instrumental in building trust among local actors and between local actors and NGOs. Social audits have become a precondition for dealing sensitively with the fragile and conflict affected situation. In a context where there are no other response- or complaints mechanisms, the social audits have proven instrumental in preventing conflicts and even serving as platforms for conflict resolution due to their strong notion of inclusion and transparency. Also, traditional power structures are not entirely challenged (as a vacuum of power bears its own dangers), but their responsiveness and inclusiveness is clearly increased. Another very visible effect is the decrease of corruption in local level affairs. One huge challenge which is the inclusion of women, still needs to be addressed. In this very traditional and religious environment, separate social audits for women need to be organised and a mechanism for information sharing between the outputs of male and female social audits needs to be installed.

**Main successes** are the fact that community members are now capable of and interested in actively participating in informed discussions about issues that concern the development of their villages and include a broader range of stakeholders. These discussions are mainly with the CDCs, but vertical links with DDAs and Government representatives are also encouraged and supported. Although the lack of trust between different local stakeholders is still a huge issue and will not be resolved easily, people are now asking for social audits and starting to demand information and answers from the CDCs. Social audits are also creating an environment and an opportunity to share information about ongoing development projects in the villages and districts with local stakeholders and the community. This is slowly creating trust between the different actors – including HELVETAS Swiss Intercooperation. The fact that people feel included and receive relevant information through social audits is key to being accepted and able to work in such a tense and conflict prone environment.

**Main challenges:** Culturally acceptable yet creative solutions for gender equity will have to be found to include women in public processes and make their voice be heard. Power issues are another area, where the project is facing huge challenges despite its success in fostering transparency and accountability. Several traditional former commanders still hold a lot of power and are unwilling to share this power. Consequently, they try to disturb the participatory approach and the implementation of social audits. The absence of a local government structure also puts HELVETAS Swiss Intercooperation (as all NGOs present in the country) in the de facto position of taking over the roles and responsibilities of these structures at local level. Consequently, a parallel, artificial and above all not sustainable system, is the current reality on the ground. With the capacity building of community members (e.g. in social audit) HELVETAS Swiss Intercooperation seeks to strengthen Good Governance at the lowest level, expecting that the acquired knowledge will contribute positively to the development of the communities, no matter what the near future will bring.

In the future HELVETAS Swiss Intercooperation / ILRC will work towards increasing capacity building of local Community Based Organisations. The latter are expected to take over training and monitoring tasks after a period of being accompanied by HELVETAS Swiss Intercooperation and the partner Ministries. At the same time, soft skills and crosscutting issues such as accountability in social audits will be increasingly included in all types of projects.

# 5. Concluding Remarks

Local level accountability has proven to be one of the most important issues for the project implementation (conflict sensitivity, trust) but more importantly it is the pivot of state-society relations in the Afghan context. Consequently, the weakness of the social audit practice lies in the fact that it is limited to blocking grants provided under the NSP. Therefore it does not cover the whole range of public finances and the general issue of accountability in the Afghan governance system.

> *"In 2005, I heard an Afghan-American professor speaking in Kabul postulate that this lack of local accountability was the root problem in Afghanistan and the main driver of the insurgency—which was then barely noticeable to the rest of us. As he put it, under this system, "Afghans aren't citizens; they are subjects." All the Afghans in the room cheered. Nearly eight years on, we are reaping the fruits of that lack of accountability." (Foreign Policy in Focus; Institute of Policy Studies. Inge Fryklund, September 5, 2012)*[1]

In the Afghan villages and districts where the projects are working, the concept of Good Governance is completely unknown to most people – even though governance issues represent one of the key driving factors of conflict and a root cause of insurgency. To address this issue, a long-term and strategic approach to prepare citizens for democratic governance is necessary. Conflict prevention and conflict mitigation should be an integral part of this approach. In many instances, hands-on project implementation in the framework of the ILRC has proven the importance of accountability on

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[1] http://www.fpif.org/articles/accountability_and_insurgency_in_afghanistan

the ground. Therefore, the social audit practice is highly relevant for development cooperation, local level good governance and conflict prevention. At the same time it remains a starting point when working towards the ultimate goal of social accountability. However, without a clear commitment of the current Afghan government towards decentralising power, fostering accountability, and broadening political and societal spaces at all levels, no durable solution to conflict and insurgency will be found.

# 6. Mirroring Case Studies: Nepal and Bolivia

Two projects in Nepal and Bolivia were asked to mirror the Afghanistan case study, i.e. complement it with their lessons and experiences.

**Nepal: Public Audit Practice of SDC and HELVETAS Swiss Intercooperation**
**- by Badri Manandhar**

The decade long "People's War" and its consequences on development cooperation illustrated the importance of transparency and accountability and have led many organisations including SDC and HELVETAS Swiss Intercooperation to strive towards better performance in those areas. In fact, only transparency towards all conflict parties allowed HELVETAS to continuously implement its projects even in highly conflict affected areas. Therefore, public audit practices were introduced in all community infrastructure projects in 2004 and have now become mandatory in almost all projects implemented by HELVETAS Swiss Intercooperation Nepal in order to ensure downward accountability. More specifically, public audit practices aim at promoting participation of communities in planning, implementation, monitoring and evaluation of construction schemes, e.g. trail bridges and water points, etc.. Public audits promote access to information, services, resources and opportunities and allow communities to raise their voices, concerns and grievances. Consequently, such practices create social pressure against corruption and manipulation. Initially, public audit practices were classified as a claimed space for discussion, especially since local government staff usually is present. Today, public audits have become a legal obligation for local governments and although implementation is limited in practice, they can be considered invited spaces. Moreover, public audit practices have improved the performance of projects through creating a two way communication channel, thereby contributing to increased ownership of the project by the community and contributing to its sustainability. As a development organisation, HELVETAS Swiss Intercooperation Nepal has enhanced its own credibility through public audit practices. Despite these positive experiences, public audit practices also face some problems and challenges: limited capacity and facilitation skills at local level to organise such events, risk of provocative queries to discredit certain individuals or the organisation, local level tensions and delayed final commissioning of the projects, tendency by line agency / local government officials to avoid such events etc.

**Bolivia: Lupita, Chuquisaca Commonwealth Centre CONCERTAR (SDC mandate, implemented by HELVETAS Swiss Intercooperation) - by Martín del Castillo**

Since 1994, a specific law regulates participation and social control in Bolivia (especially at the local level). It recognises the territorial organisations and their traditional participation mechanisms. The law also foresees the inclusion of citizens by allowing them to voice their demands and gives them a role in planning, monitoring and evaluating the results and impact of public management, i.e. by creating feedback loops from citizens to decision makers. However, this breakthrough in accountability was neither coupled with requirements for the governmental institutions to provide clear and timely information, nor with mechanisms to promote better relations between government and civil society.

In the context of fighting corruption, another law was passed in 2010 to combat this problem by stipulating that all state institutions must create a special office to ensure public accountability and

access to information. For local governments, this meant that they had to find specific qualified personnel to meet these new requirements.

In response to these legal requirements and in order to support its partners, the Association of Municipalities of Chuquisaca Center established a regional transparency office called "Lupita" (diminutive of the Spanish *lupa* or *lente,* in English lens). The office is responsible for building the capacity of staff in preparing and sharing information in a clear and timely manner with citizens, preparing public hearings and other social accountability tools. This provides a space for local authorities, social organisations and citizens where the former are accountable for implementation progresses, and where needs and challenges can be discussed. The main challenges are the improvement of monitoring and evaluation tools by overcoming the trade-off of having simple tools understood by the population which at the same time measure changes at output and outcome level. Also, effective complaint mechanisms where civil society can forward their feedback to the local authorities have yet to be established.

This approach is considered to be successful and has been replicated by at least four other regions in the country - with enormous support from the respective Mayors.

# 7. References

*Project Document.* Improving Livelihoods of Rural Communities in Afghanistan **ILRC**. Phase III, 03/2012 – 02/2016.SDC/HELVETAS Swiss Intercooperation. Bamyan, Kabul, Bern and Zurich, November 2011

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# GOVERNANCE AT GRASSROOTS LEVEL: COMMUNITY FOREST MANAGEMENT GROUPS

## Bhutan: Participatory Forest Management Project (PFMP)



© M. Wild/Helvetas Bhutan

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Thimphu, September 2012

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## List of Abbreviations

| | |
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| BPC | Bhutan Power Corporation |
| CBO | Community-based Organisation |
| CF | Community Forest/Forestry |
| CFMG | Community Forest/Forestry Management Group |
| Chiwog | Cluster of villages (sub-unit of a Gewog) |
| CSO | Civil Society Organisation |
| DFO | Divisional Forest Officer |
| DLG | Department of Local Governance |
| DoFPS | Department of Forests and Park Services |
| DT | DzongkhagTshogdu (= District Council) |
| Dzongdag | District Governor |
| Dzongrab | Deputy District Governor |
| DzFO | Dzongkhag Forestry Officer |
| DzFS | Dzongkhag Forestry Sector |
| Dzongkhag | District |
| FNCA | Forest and Nature Conservation Act |
| FNCR | Forest and Nature Conservation Rules |
| FYP | Five Year Plan |
| Gewog | Block (sub-unit of a Dzongkhag) |
| GFEO | Gewog Forestry Extension Officer |
| GT | GewogTshogde (= Block Council) |
| Gup | Block Head (elected) |
| LG | Local Government (District and Block levels) |
| Mangmi | Deputy Block Head (elected) |
| MoAF | Ministry of Agriculture and Forests |
| MoHCA | Ministry of Home and Cultural Affairs |
| MoWHS | Ministry of Works and Human Settlement |

| | |
|---|---|
| MP | Member of Parliament |
| NWFP | Non Wood Forest Product |
| NRDCL | Natural Resources Development Corporation Ltd |
| PFMP | Participatory Forest Management Project |
| PM | Park Manager |
| SDC | Swiss Agency for Development and Cooperation |
| SFED | Social Forestry and Extension Division |
| TFD | Territorial Forest Division |
| Tshogpa | Chiwog Head (elected) |
| Zomdue | Village meeting |

# 1.    Background

Community forestry (CF) is a fast growing movement in Bhutan. Since 2002, the Participatory Forest Management Project (PFMP), which is funded by the Swiss Agency for Development and Cooperation (SDC) and implemented by the Social Forestry and Extension Division (SFED) and HELVETAS Swiss Intercooperation, has contributed significantly to the development of community forestry in Bhutan.

Phase II (2007-2013) of the project aims to contribute to the **improvement of rural livelihoods** by empowering local communities to manage forests resources allocated to them as community forests on a sustainable basis. The project focuses on three main outcomes: 1) an **enabling environment** for the establishment of community forests throughout the country, 2) **capacities built** at all levels for effective and sustainable implementation of the community forestry programme and 3) a contribution to **poverty reduction** through community forestry**.**

The present case study is based on interviews with CFMG in three Dzongkhags, discussions with Dzongkhag Forestry Officers, Gewog Forestry Extension Officers, SFED and PFMP staff and a review of existing literature[1]. The objective of the case study is to assess the evolution of CF in Bhutan, the limitations and potentials of CF, the role of CFMG in local governance and the contribution of the project to enhancing their capacities to play a more active role as planners and managers of CF. Therefore, CFMG are assessed in the wider context of the decentralisation process and the level of participation of other non-state actors in local governance. The CFMG's capacities to voice concerns and demands on behalf of their members and to hold the respective authorities accountable are also considered. A context analysis of power relations within and beyond the forestry sector that impact the development of CFMG provides the overall framework for this study.

# 2.    Context and Power Analysis

**Community Forestry in Bhutan**

Community forest is government-owned forest land, for which communities – organised as Community Forest Management Groups (CFMG) – are being granted management and use rights and responsibilities under conditions set out in a management plan approved by the Department of Forests and Park Services (DoFPS). CF is part of the broader concept of Social Forestry, which emerged in Bhutan through a royal decree in 1979. It can be seen as a paradigm shift away from the formerly highly restricted access to forests and use of forest resources for local communities.

During the early days of CF in the late 1990s, the DoFPS and TFDs only very reluctantly ceded management rights and responsibilities for forest resources to CFMG. They preferred to register degraded land as CF, stating their concerns regarding the groups' abilities to sustainably manage forest resources.[2] The fact that the sharing of monitoring responsibilities for community forestry between TFD/Parks and SFED/DzFS has led to a relative gain in power **of DzFS compared to TDF/Parks** might be another reason for TFDs' reservations towards community forestry.

Fuelled by the accelerated democratisation and decentralisation process since 2008, there has been a rapid expansion of community forests in recent years. As per the end of June 2012, there were 431 community forests covering 43,166 ha and benefiting 19'559 households.[3] Today, about one fourth of all rural households in Bhutan are member of a CFMG. Whereas in the early days community forestry was promoted mostly to ensure the conservation and protection of forest resources, it is now widely recognised as a means to improve the livelihoods of rural communities by

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[1] See p. 7 for an illustration of the Local Government and Forestry Sector Structure.
[2] Such discussions revolved around the optimal use of forest resources, i.e. scientific management by professional foresters versus community management based on local knowledge. These discussions continue to date and tend to undermine the socio-economic importance of CF for rural communities.
[3] CF database maintained by SFED

generating income. Its contribution to the realisation of the 10th Five Year Plan (FYP) national goal of poverty reduction is also acknowledged. Also, it is seen as a way to promote participatory decision-making on natural resource management and democratisation.

As defined in the Forest and Nature Conservation Rules (FNCR) of 2006, CFMG are accountable to the DoFPS for the sustainable management of the entrusted resources, and the DoFPS have the right to revoke the certificate of a CFMG, if a group acts in violation of the management plan (with no redress rights for the CFMG).[4] This is a clear indicator of power relations between CFMGs as right holders of forest management and the DoFPS representing the state as the owner of the resource. Nevertheless, the DoFPS has not exercised this prerogative so far (SFED 2012).

**Community Forest Management Groups and Civil Society Organisations Movement**

The Civil Society Organisations (CSO) movement in Bhutan gained momentum with the CSO Act 2007 and the establishment of a CSO Authority in 2009. Most of the 29[5] registered CSO are social welfare oriented and complement government activities, as foreseen by the act. Very few engage in advocacy and policy dialogue on behalf of their beneficiaries, and those who do cover mostly non-sensitive topics such as education and health. This development illustrates the cautious approach the CSO Authority has taken to enable the growth of CSO.

Whereas the CSO Act covers not-for profit organisations (either for mutual or public benefit), community-based organisations (CBO) and groups pursuing primarily economic goals such as CFMG or farmers groups fall under the Co-operative Act of Bhutan. Whereas the socio-economic benefits of such CBO are acknowledged and appreciated and their potential to promote democratisation recognised, their empowerment in political terms has received little attention.[6] The SFED for example highlights the impact of CFMG on social capital in Bhutan, e.g. strengthening social cohesion amongst members thereby effectively contributing to reversing social fragmentation in Bhutan (The Bhutanese, 10.8.12). However, the potential of such groups to address the concerns of their communities, voice their demands at Gewog or Dzongkhag level, and monitor the implementation of development activities at the local level, is of less concern.

**Limitations regarding Decentralisation**

The Bhutanese state is generally considered to be a welfare state with a strong sense of responsibility for the wellbeing of its people. Socio-cultural limitations to decentralisation in Bhutan are rooted in the strong sense of hierarchies, seniority and a paternalistic approach to governance. While historically the practice of public consultation is widely spread in Bhutan, this has not yet led to active public participation in decision-making processes. While today's Gewog Development Plans are informed by community meetings (so called Zomdues) and seek to incorporate concerns and priorities of local people, the effectiveness of these consultative meetings depends considerably on the facilitator's capacity to promote active participation and voice the decisions of the Zomdue in the Gewog Council (GT).

Similarly, the historical forms of governance in Bhutan have not particularly promoted the development of civic culture, which is essential for the consolidation of the ongoing democratisation and decentralisation process. Today, local government elections are non-partisan and apolitical and civil servants are banned from engaging in political activities and from joining a political party. Local Governments only have decision making power and **lack legislative authority**.

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[4] FNCR 2006, Art. 35
[5] As of 15th August 2012
[6] The Co-operative Act of Bhutan 2001 provides for the establishment of Federations of Co-operatives and also Unions of registered Federations. However the purpose of Federations is limited to production and marketing and only Unions are encouraged to promote their co-operatives interests and engage in advocacy at national level. (Co-operative Act of Bhutan 2001, Art. 9 & 10)

A shortage of elected representatives at Chiwog level (despite two by-elections after the first nationwide[7] local government elections in 2011), along with the weak capacities of elected local government representatives and low participation of women in local government elections[8], remain the biggest challenges for local governments today. The DLG is witnessing a recent trend of local people increasingly sidelining local governments and directly seeking redress with their representatives at national level or central government agencies. This is an indication that the institutionalisation of local government structures is still weak and that there is a lack of awareness at the local level of the functions and mandate of the local government (LG).

Due to high poverty rates, low incomes from agriculture-based activities in rural areas, and the fact that many taxes are levied by central agencies, **tax revenues** generated at the local level are very minimal and local governments depend strongly on central funding. Consequently, the financial autonomy of local governments both in terms of raising adequate revenues from their constituencies as well as in fully determining how to spend resources allocated to them is limited.

Accountability relations between local governments, sector extension staff and local communities are complex and tend to be horizontal or upward oriented. Although administratively all Gewog sector extension agents report to the Gewog Council (GT), as civil servants they are also technically accountable to their line ministries. Similarly, the Dzongkhag Forestry Officers (DzFO) report administratively to the District Council (DT) and to the Dzongdag and technically to the Ministry of Agriculture and Forests (MoAF). This considerably reduces the power of local governments and local communities to effectively hold sector staff accountable. However, concerning development activities and implementation of decisions of the DT, the Dzongdag (as chief executive officer at district level) and his deputy the Dzongrab, are both accountable to the DT – as well as to the Ministry of Home and Cultural Affairs (MoHCA) for administrative and to different line ministries for technical matters. In contrast, TFD/Parks report exclusively to their ministry.

These limitations to decentralisation have a direct impact on the sphere of influence and voice of community-based organisations such as CFMG.

### Local Government and Forestry Sector Structure
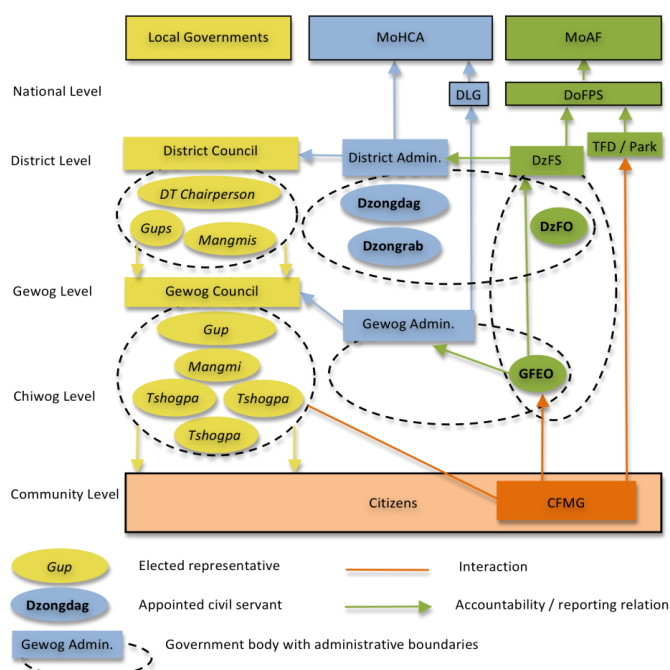


Source: Own illustration

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[7] Following a Royal Edict in 2002 to adopt universal suffrage in elections for local governments, first elections were held in 199 out of 201 Gewogs to elect the Gups. (Ura 2004, p. 2)
[8] In the 2011 local government elections, 8% percent were female candidates. (www.election-bhutan.org.bt)

# 3. Participation/ Accountability Mechanism(s)

**Legal Framework for Participation and Accountability**

CFMG are responsible *"to ensure transparency and accountability in the management of the forest and affairs of the CFMG"* (FNCR 2006, Art. 31). Compliance requirements for planning and management of CF as spelled out in the Forest and Nature Conservation Act (FNCA) are rather complex and consequently prevent groups to take effective control. With the revision of the FNCR in 2006, responsibility to develop the CF management plans has been transferred from CFMG to the DzFO who prepares the plans "in consultation and collaboration with CFMG" (FNCR 2006, Art. 28.3). This has effectively reduced the power of local communities in the planning of forest management. Furthermore, the DoFPS reserves the right to take action with regard to both forestry and other developmental activities in the CF if there is a perceived a government interest / need (FNCR 2006, Art. 35).

The GFEO provides services (technical assistance, facilitation) to the CFMG, yet there are no feedback mechanisms in place to assess the performance of service providers apart from the general forum of GT. In addition, the **lack of ownership rights** has resulted in certain insecurity about management rights among certain groups as reported by Wangdi and Tshering (2006, p.5).

Despite these limitations, the overall framework for CF is overall enabling and the National Strategy for CF (SFD 2010), which was drafted with project support, encourages mutual accountability: „Both parties in CF agreements, Government and community, have responsibilities as well as authorities. In the interests of enhancing transparency and accountability, procedures should be established to enable CFMG members to hold Forest Officers accountable for their actions" (SFD 2010, p. 54). SFED (mandated by the MoAF) is currently in the process of revising the rules for CF based on the national strategy and experience gained with CF over the past years.

Important accountability and monitoring instruments are the groups' by-laws, meetings, annual reports and the accountability mechanisms between GFEO and DzFO who ultimately report to GT and DT respectively. However, concerns of the Government regarding accountability and participation are mostly related to internal group governance and to a lesser extent to their own accountability towards the groups – effectively disempowering the CFMG to hold forest authorities directly accountable. Many extension agents seem to be concerned with the groups' **internal governance, which they consider to be weak** (Hool 2012, p. 11). Administrative and management capacities are certainly a challenge for newly established groups. Nonetheless all the groups visited had a good understanding of the principles of good governance and their executive committees were committed to implementing these. Equitable socio-economic development is promoted through the needs based allocation of the often scarce timber resources, benefiting poorer households. Membership fees are kept low to allow for participation of all societal groups. However none of the groups visited had complaints mechanisms in place - except for general assemblies that do not particularly call for feedback. The literature on CFMG suggests that this is common practice (see Wangchuk 2011).

While the participation of these groups in the protection and management of forest resources is considerable, i.e. they have the right to hold offenders accountable and fine them according to their by-laws, their participation in other stages is still limited. The responsibility for the participatory planning of a community forest is formally in the hands of the DzFO, decision making processes are often accompanied by forestry staff, and the space for decision making is limited to the approved management plans. Considering the high level of involvement of Gewog and Dzongkhag extension agents in advising and technical backstopping of CFMG, some observers have described CFMG as an extended arm of the DoFPS rather than as an independent organisation that could challenge the authority of DoFPS regarding forest management (Rasul and Karki 2007, p. 24). The effective level of participation of CFMG members in planning and implementation depends considerably on the interest and commitment shown by the members and on the facilitation skills of forestry extension staff.

**PFMP Support to Inclusive Participation and Accountability Mechanisms**

The project is in the process of developing a **series of tools** to further improve the internal governance of CFMG and to strengthen external links to local governments. These will address issues such as the inclusion of poor households, pro-poor provisions in the by-laws, recommendations to lower transaction costs for poor households, equitable benefit sharing, reporting and information sharing, implementation of by-laws, compliance with government rules and regulations, meaningful participation, access to forest products, use of CF funds, and meaningful record and book keeping. The adoption of rules and mechanisms in the groups' by-laws to support disadvantaged members and the by-laws' implementation is a focus area. The importance of equitable cost and benefit sharing, and the inclusion of provisions promoting concrete actions to benefit disadvantaged households, have been widely addressed among foresters and CFMG with the objective of tackling poverty reduction more explicitly in the CFMG by-laws. While the project has mostly addressed the broader issue of social equity and focussed to a lesser extent on gender, it has established the use of sex-disaggregated data for determining the composition of CFGM executive committees, the selection of participants for trainings, for reporting purposes, and awareness raising. Further, the project has facilitated the discussion on introducing soft quotas for executive committees, resulting in a broad agreement on 1/3 minimum representation of each sex[9]. This consensus will also be reflected in the revised version of the CF manual and rules.

Although the **promotion of downward accountability** of government actors has not been a particular focus of the current phase, accountability has been a regular topic in workshops and discussions on governance with extension staff. Downward accountability will be an important topic in the next phase of the project. With existing accountability relations in place between the Gewog and Dzongkhag Administration and Local Governments, the focus will be on strengthening these existing relations and empowering CFMG members in their role as citizens, rather than on creating additional channels for CFMG exclusively.

The project also supports **workshops** at district level to provide CFMG with a platform to raise and discuss issues around CF management, exchange experiences, directly address government representatives, and seek accountability. Panel discussions with participants from the SFED are broadcasted live on Bhutan Broadcasting Service with some support from the project. Viewers are invited to share their concerns and hold the panellists accountable.

**Exposure visits, short-term trainings and regional workshops for CFMG** supported by the project are also important fora to exchange lessons learnt and share best practices among CFMG. It is hoped that these platforms will advance the establishment of federations of CFMG to allow CFMG to make use of synergies in a more structured way.

The drafting of the **National Strategy for CF** (SFD 2010), which was supported through technical assistance funded by the project, was preceded by consultative meetings with stakeholders, a national stakeholder workshop and several discussions with senior level bureaucrats to ensure support and ownership. This resulted in political and administrative commitments from decision makers. The launch of the strategy was broadly covered in the media and the project ensured the broad dissemination of the strategy to all relevant stakeholders.

**Awareness raising events** with LG officials are organised in order to give them a better understanding of CF and to promote the new CF Strategy.

The project's **inclusive approach to capacity building** for foresters, which targets DzFS as well as staff of protected areas and the TFD, aims at improving the collaboration and coordination between different services of the Department of Forests and Park Services and at achieving a shared understanding on the benefits of CF. Addressing a broad range of issues, e.g. didactics, facilitation

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[9] This applies to the overall composition of the executive committee (usually comprising between 6 and 12 members) as well as to the main office holders (Chairperson, Secretary, Treasurer).

skills, NWFP management, group and conflict management, and marketing, these trainings aim at improving extension staffs' capacities to support CFMG, thereby furthering CFMG's role in planning and implementing CF management plans.

**Limitations** to participation and accountability can be found in the legal framework as described above, but also in the institutional set up of the forestry sector as it lacks regular platforms at community level to interact with non-state actors. The GT and DT meetings provide a venue to bring up issues related to the CF programme. With public participation limited to observer status, issues have to be addressed through the Chiwog Tshogpa (or the Gup) on behalf of the CFMG. To enhance the participation of CFMG in local governance issues, these channels have to be appropriated by the groups to voice their interests.

## CFMG - Safeguarding Community Interests

The role of CFMG in the effective protection of community interests can be illustrated by Norbugang CFMG in Sarpang District. There, the CFMG rejected the proposal of a private mining company to establish operations in their CF, because of the expected huge environmental impact this would entail. Another project to establish high voltage power transmitters in connection with a hydro power project was also rejected, as it would have severely undermined the development of forest resources in some parts of the CF. The very limited benefits for local communities of these national development projects explain the reluctance of these communities to allow such projects to be realised within their CF boundaries. However, there are voices accusing CFMG of not acting in the interest of the country by putting their community first. In light of the importance of forests for local communities to secure their livelihoods, and the still only marginal share of community forests of the total forest cover, these arguments appear to be unfounded.

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**Box 1: The case of Nimazor CFMG**

Conflicts mostly arise over activities that have been approved before the establishment of the community forests and which have not been revised to include the clearance of CFMG. Nimazor CFMG in Tsirang has been trying to hold the Bhutan Power Corporation (BPC) accountable for damages caused to their forest and for the illegal felling of trees. The CFMG has penalised the BPC according to its by-laws. However, the payment of the fines is still pending. The TFD has also penalised the BPC for the use of excavators to ply their way to the transmitter site and the BPC has cleared their debts with the TFD. Nevertheless, Tsirang Division has not considered transfering this payment to the CFMG whose CF has been affected. Several letters, drafted with support of the GFEO to the Tsirang Forestry Divison, the District Governor and the BPC (with cc to the Gup, Branch Officer and DzFS) have remained unanswered and the group is at its wits' end. This kind of follow up is a considerable burden (in terms of time and financial resources) to the Secretary and Chairperson of the CFMG who also does not receive professional legal support. The CFMG now considers legal steps to enforce its rights.

This case highlights the very visible power dimensions CFMG have to face. The BPC is a government owned company who is mandated by RGoB to provide the necessary infrastructure for the transmission of power generated by different hydropower projects. The hydropower sector is the backbone of Bhutan's economy and is projected to grow substantially during the next 10 years.

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Some groups actively sought to establish a community forest after development activities had been proposed in their customarily used forests in order to secure access to assets such as timber[10] or in order to avert such activities.

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[10] While timber felled in a CF due to development activities is handed over directly to the CFMG, timber from GRF is handed over to the Natural Resource Development Corporation Limited (NRDCL) who then decides on its further use and distribution.

The construction of farm roads has a considerable impact on forests and the general landscape in rural Bhutan. Generally, there is little opposition to the construction of farm roads or rural electrification as most communities acknowledge the benefits of these activities. All of the groups that were interviewed were involved in monitoring road constructions that affected their CF as members of "Road Committees". However, the case of the Dramtse-Narang farm road construction showcases the need for close monitoring.

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**Box 2: Dozam CFMG corrects flaws in road construction procedure (Norbu 2008)**

In 2007, the construction of a farm road from the village of Dramtse to a neighbouring village started. The new road was expected to partly lead through a plantation established by the Dozam Community Forest Management Group. As the construction violated the standards agreed upon before work started, the group obstructed the continuation of construction. This action was widely reported on in the Bhutanese media. The road was eventually built observing the existing standards for environmentally friendly road construction thanks to the Dozam CFMG's intervention.

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# 4.     Analysis and Main Lessons Learnt

Bhutan's approach to forest management has been subject to substantial changes in the past decades. The enactment of the FNCA in 1995 marked the beginning of a more people-centred approach to management of forest resources in the form of CF and brought to an end the highly restricted access to forests since 1969. Fuelled by the decentralisation process, i.e. devolving powers to sub-national levels and promoting community participation in local planning, the contribution of CFMG to sustainable forest management, protection and conservation of natural resources is widely acknowledged today.

There are indications that incidences of illegal logging and forest fires have decreased - a fact that local observers partly attribute to CF. Thanks to the effective protection of water sources, many CFMG benefit from an improved supply of drinking and irrigation water. The project has contributed to an enabling policy environment by supporting the development of the National Strategy for CF (SFD 2010) and the ongoing revision of rules pertaining to CF. Also, it has contributed to improved coordination and collaboration among different actors in the forestry sector. Within this framework the CF programme has thrived and become a nationwide movement. The number of community forests has grown rapidly since 2007, and community forests are now present in all 20 Dzongkhags. An increasing number of groups derive income from the management of forest resources thereby contributing to poverty reduction in rural areas. The demand to establish a CF is now community-driven. It is expected that the number of applications for new community forests continues to be high. Today, CF is broadly supported at all levels - from community to national, from decision makers to administrators. Given this dynamic, the project has assumed a new role in supporting the consolidation of the approach and the assurance of quality. The general success of the CF programme and the broad acceptance it has gained over the past years can be partly attributed to the holistic approach taken by the SFED, the wider processes of democratisation and decentralisation, as well as the support from politicians and high level civil servants "championing" CF. This is resulting in a nationwide and systemic impact, as well as contributing to a shift in power relations in forest management by empowering CFMG.

While in the early days of CF, communities were invited to spaces that were closed earlier, they now claim these spaces themselves, turning the establishment of community forests into a bottom-up process. However, they do so mostly at local level and very few CFMG have so far exercised their rights beyond the local level. An exception is the case of one CFMG that took legal action to enforce its by-laws and succeeded before the district court. It is expected that CFMGs will increasingly be able to enforce their provisions and other relevant legislation, thanks to a better understanding of their rights, increased capacities, public support, and more exchange with other CFMGs.

Future challenges in the support to CF include, apart from poverty reduction, the establishment of an effective monitoring system that takes into account the reach and scale of CF, the capacities of (newly established) groups to actively manage forest resources and the groups' empowerment to address issues beyond forestry and the local level, eventually leading to their active participation in decision making processes and policy discussions. Equally seen as a limitation is the lack of an integrated approach to plan natural resources management and the development of infrastructure at the landscape level in a participatory way.

The transfer of rights and responsibilities for the management of forest resources to local communities has increased their sense of ownership and has resulted in a **more sustainable, conscious and farsighted approach** towards the management of forest resources. Communities have been empowered to protect their resources from outsiders - people, government and private companies - and they take pride in these responsibilities. One group has been able to establish itself as service provider to a neighbouring municipality in supplying drinking water for which the group is remunerated. The provision of ecosystem services, particularly irrigation and drinking water from protected sources within the CF, could become a business model for other CFMGs. Also, the groups' contributions beyond the local level should be recognised by Dzongkhag authorities and compensated accordingly.

Community Forest Management Groups have actively participated in the ongoing 11th FYP planning meetings at Gewog level and it is hoped that this engagement in governance processes at local level will strengthen the links between community-based organisations such as CFMGs and local governments. It is further expected that leadership experience gained in the CFMGs' executive committees, positions CF members to take up a leading role in local governance. Anecdotal evidence suggests that the existence of an active CFMG leads to improved citizen engagement in Zomdues.[11]

Accountability mechanisms in CF are mostly upward and only to a limited extend downward as in the case of internal accountability between executive committee members and ordinary group members. However, these mechanisms are little institutionalised, and no formal complaints mechanisms exist to seek redress internally. None of the groups interviewed felt the need for such a mechanism. This could lead to the interpretation that the groups have a tendency to avoid rather than manage conflicts (see also Wangchuk 2011). While all groups interviewed assessed their CFMG's composition as representative of community at large, women are still underrepresented in the groups' executive committees.[12] Also language and literacy requirements seem to contribute to the persistence of existing social relations rather than challenge them. Also elite capture of benefits derived from CF, as widely reported from community forestry programmes in the region, might also become an issue in Bhutan (see Carter et al. 2009). However, the groups' growing acknowledgement of the importance of equitable cost and benefit sharing for effective poverty reduction and the adherence to good governance principles, seem to effectively limit such social risks.

In the project context, efforts have already been made to promote the equitable distribution of benefits (rather than equal distribution only). Further, the project has moved from a rather narrow understanding of poverty defined by economic aspects to a broader and multi-dimensional understanding of poverty. This is reflected in the practice of "wellbeing" rankings that substituted the earlier wealth rankings. However, the SFED follows a cautious approach to address aspects of social divides or discrimination, based on the reasoning that such changes should emanate from the communities themselves and should not be imposed by external actors. Nevertheless the latter may be well placed to promote the provision of space for agents of social change.

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[11] Hobley, M.: Community-based forestry and governance - opportunities for potential Phase 3 PFMP, De-briefing, DoFPS, Thimphu, 10.10.2012.
[12] Data from 116 CFMGs collected from the CF Annual Reports 2010 provide the following figures of women's representation: Chairperson: 2%, Secretary: 13%. Treasurer: 12%, Other executive committee members: 34%. On average women's overall representation in executive committees comes to 23%.

The project has brought up issues on behalf of the groups and has been a catalyst for the development of the CF programme into a movement. However, the voice of most groups has been limited to sub-national levels and only very specific topics have been addressed due to the limited experience of community-based organisations in Bhutan in advocacy and policy dialogue, a predominantly paternalistic approach from the government towards civil society actors, and the lack of an umbrella association of CFMGs. Nevertheless, CFMGs have come a long way in the past decade by claiming their rights in CF management and effectively managing the entrusted resources by practising democratic decision-making at grassroots level. Examples of CFMG actively enforcing their rights and holding private as well as government agencies accountable, point to the potential of community-based organisations to safeguard the interest of their communities.

The focus of the project on building capacities amongst CF group members has led to an empowerment of communities as planners and managers at the local level, providing rural households with direct, tangible results from their participation in decision-making processes. With this in mind, it is now an opportune moment to address broader issues of forest and landscape governance, including concerns such as justice, access and equity, and to capitalise on the benefits of decentralisation and local governance for CF. Managing the groups' expectations regarding benefits derived from CF and the effective contribution to improved livelihoods and poverty reduction of devolved management of natural resources, will remain challenges.

# 5.    Concluding Remarks

CF has come a long way in Bhutan characterised by rapid developments in recent years. Today the social, economical and environmental benefits of CF are widely recognised and the current legal framework provides an enabling environment for the implementation of the CF programme. However, much remains to be done when it comes to scaling up the CFMGs' sphere of influence and their empowerment as political actors, effectively participating in local decision making and in governance. Many Community Forest Management Groups face constraints in terms of human capacities, which in turn limit their abilities to take actively part in the planning and revision of management plans, thereby limiting their political powers. It is hoped that the anticipated gain in knowledge and capacities in forest management will foster the groups' engagement in broader issues of forest governance and further improve the quality of participation, representation, planning and management.

From the Government's perspective, benefits of community forests are mostly internal, i.e. income generation for local communities and poverty reduction, increased social cohesion, improved water source protection etc. rather than external. External benefits of CF actors are that they can be considered important stakeholders in the decentralisation and democratisation process by promoting downward accountability and transparency, inclusive and participatory governance, grassroots informed policy dialogue etc. However, senior government officials often refer to the contribution that they expect CF to make to local democratisation in the country. This clearly points to the potential of CF to capitalise on good governance outcomes for improved livelihoods and to become a role model for democratic and decentralized natural resource management which is inclusive, transparent and equitable and committed to being accountable as well as to holding decision-makers accountable.

However, some foresters seem to be wary of an "over-empowerment" of such groups that might lead to delay or even rejection of development activities, thereby foregoing national interests. This concern is not limited to CFMGs but is commonly voiced by civil servants in regard to non-state actors such as CSOs, CBOs and the media. The development and empowerment of non-governmental organisations is still in its infancy in Bhutan and so is the civic culture. However, voices for more accountability from the urban elite directed at political leaders and central agencies have grown considerably over the past months. Similarly, the uncovering of corrupt practices of high level civil servants by the media and the Anti-Corruption Commission, and the outspoken public disapproval, are signs of change. It is hoped that these developments will eventually trickle down to

the local levels and rural parts of Bhutan, encouraging local people to voice their concerns and hold their representatives accountable. The forthcoming elections, that might see as many as six parties competing[13], and the early efforts of some MPs to secure votes, have made citizens aware of their power: suddenly, their opinion matters and their vote counts - turning established power relations upside down.

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Decentralization and Local Governance Network

# SUPPORTING A CULTURE OF NON-VIOLENCE

## Bolivia: Towards a Culture of Nonviolence

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Bolivia, September 2012

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# List of Abbreviations

| | |
|---|---|
| NGO | Non-Govermental Organisation |
| PADEM | Support for Local Democracy Programme |
| POA | Annual Operational Plan |
| SDC | Swiss Agency for Development and Cooperation |
| SLIM | Municipal Integral Legal Service |
| VIO | Vice Ministry for Equal Opportunities |

# 1.    Background

The "Best of Me for You" is a project that was proposed by concerned citizens who sought to prevent and eradicate violence against women in Quillacollo city in Cochabamba province, Bolivia. The initiative received technical and financial support from the SDC project "Towards a Culture of Nonviolence", which was developed under the Civic Culture Program and implemented by PADEM (Support for Local Democracy Program) in partnership with Training and Civil Rights members of the Civic Culture Program. The Civic Culture Program initiated a national competition called "Beware of Violence", to promote the development, implementation and dissemination of initiatives that contribute to joint action between civil society and local government, to prevent and reduce violence against women at municipal level. The competition is open to municipal government and civil society, and it is broadcasted on various media. It receives around 100 proposals from both urban and rural municipalities every year. From those it selects around 30 proposals, which are supported financially with USD 500-1000 and technically, i.e. through training, information on good practices and innovations and communication support.

The project promotes the prevention and reduction of violence against women at municipal level, through the involvement of civil society and local governments in District 5 of the Municipality of Quillacollo. The Municipality of Quillacollo has over 200'000 inhabitants and is composed of several districts, with only one Municipal Integral Legal Service (SLIM). Consequently, the demand for SLIM services exceeds its technical and logistical capacity. Due to the absence of a decentralised SLIM in District 5, i.e. "down town" of Quillacollo, many women were excluded from the government programme against violence.

Concerned citizens in District 5 of Quillacollo city initiated the project when they noticed the high rates of violence against women and increasing femicide in the city (Quillacollo is the second most violent city in Bolivia), and the absence of a decentralised public institution that could provide information and care for victims of violence. First, they sought to bring together and train various civil society actors and local authorities and create a network. In 2010, 36 elected neighbourhood leaders of the civic watch-committee, school boards, police, health facilities, NGOs, shelter for victims, private universities, and local government of District 5 joined forces through the creation of a network. They enhanced their skill and expertise on the issue, including general awareness raising of the public to gain support for the initiative. In 2011, the network was consolidated and worked out a plan of joint action. This plan was then submitted to next year's competition "Beware of Violence" in 2011, when it was selected again, and received another USD 500 for implementing its action plan.

This time the network decided to strengthen and promote advocacy activities. A key activity was a march of citizens – called the "Long March of Unity" – to advocate for the support of more men regarding the concerns of the network. The result was that 36 male leaders decided to participate in the activities of the network. Another substantial outcome was the creation of a municipal integral legal service (SLIM) in District 5. The network requested the main authority of the municipal government to include the construction of the building in the municipal budget through a petition, which was successful. USD 43800 were budgeted for the building with all the requirements to address the prevention of violence and dealing with consequences of violence (psychological, legal, psycho-social).

In conclusion, the network is highly relevant because it achieved the construction and creation of this service in its own zone, giving citizens, men and women, the ability to make complaints and receive care and information on family and domestic violence.

## 2.    Context and Power Analysis

**Decentralisation in Bolivia**

Bolivia is an ethnically diverse country with a turbulent political history. Over 60 percent of its 9 million citizens are indigenous peoples - the largest such percentage in Latin America. They latter have historically been exploited by elites. The history and these differences have polarised the country, as is reflected by the 2005 election: Evo Morales' Movement toward Socialism (MAS) polled twice as high in the highlands than in the lowlands, i.e. got 64 percent of the vote in the former and 31 percent in the latter.[1] Decentralisation was introduced in the mid-1990s, when the Popular Participation Law ("Ley de Participacion Popular") was passed and 311 elected municipal governments were created – this number was later increased to 337. As a consequence, municipalities received direct fiscal transfers, and mechanisms for citizens to be included in planning and oversight were introduced. Under Morales, a new structure was introduced for sub-national autonomies, granting varying levels of political and economic autonomy to the regions, municipalities and indigenous communities.[2]

In the current structure, local governments are autonomous bodies, whose powers have been decentralised from national to local level. The local executive (mayor, senior officers, directors and technical staff responsible for implementation) is a key actor in the local government. Its role is to implement municipal policies as planned in the Municipal Operational Plan and to implement Municipal laws. The municipal council consist of a supervisory body of public administration and the municipal executive (mayor). It also has the capacity to legislate or propose laws. It is composed of about 11 representatives, depending on the size and spatial organisation of each municipality. Both the mayor and the councillors are elected in democratic elections every 5 years. In Quillacollo 7 of the 11 council members are women.

**Effectiveness of Services**

According to World Bank Worldwide Governance Indicators of 2010, Bolivia has low ratings for all indicators, i.e. under 50/100. Especially the rule of law and regulatory quality has decreased significantly since 2002[3]. This is also the case for the legal services promoted by Law 1674 against family and domestic violence, which should be implemented in all 339 municipalities. The role of these so-called SLIMs is to prevent violence against women and raise awareness, offering free services for legal and psychosocial assistance to victims, and accompany victims if they decide to take the case to justice. To date, only 174 of such centres exist and many of them cannot fulfil their mandate, as they lack specialists, funds, materials, logistical support, etc. There are cases where the SLIMs levy fees for their services, as citizens do not know that the services are supposed to be free and due to the mentioned lack funds. Similarly, the Health Centres are obliged to give medical attention to victims of physical and/or sexual violence, including offering forensic certification free of charge. Again, sometimes these are emitted at a cost. Another bottleneck is the judicial sector, where often the aggressor is favoured over the victim, justifying violence against the victims or encouraging reconciliation.

There are a number of gaps and contradictions in the law that make implementing it difficult. However, the persisting violence against women, the tendency to declare such behaviour as normal and the ensuing impunity, has lead to the formulation of appropriate procedures that protect the integrity and liberty of women in the new Penal Code.  Despite this, not much has happened since 1993, when a study confirmed weaknesses in these areas. Organisations working on the rights of women in Bolivia are putting pressure on the government to create special women procurators and include their role in the Law of the Public Ministry, which would help to address the problem.

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[1] Seth Kaplan, 2012. Fixing fragile states; Chapter on Bolivia: Building Representative Institutions in a Divided Country.
[2] Miguel Centellas, 2010, Bolivias Radical Decentralisation in „Americas" quarterly, issue „Healthcare. Consulted on internet (4.09.2012)
[3] The Worldbank good governance indicators by Kaufmann consulted online (4.09.2012)at:

An additional complementary law is being promoted to include more preventive measures, to clarify the limits of reconciliation, and to establish norms that protect Bolivian women, not only in the family but also in the areas of education, labour, health, public institutions, media and the community so that the Law becomes more integrated.

However, at national level, the Vice-Ministry for Equal Opportunities (VIO) does not have enough resources to fulfil its mandate, let alone assist in the management and appropriation of norms or implement actions focusing on poverty of indigenous women, their sub-ordinate position and the related violence they face. In addition, the high turnover of staff in this institution, its limited decision-making power and the lack of resources (human and financial), are other obstacles that block the fulfilment of its mandate to the detriment of Bolivian women.

### Legitimacy

As they are key actors in the process of decentralisation, municipalities are the guarantors of human rights. Mechanisms for citizen representation in institutionalised spaces were created through the formation of territorial or neighbourhood organisations, which participate in municipal decision-making and accountability processes. In addition, the Watch Committee (Comite de Vigilancia) was created, a body elected by residents – men and women – whose role is to represent citizens' demands and proposals, as well as to control and monitor the implementation of agreements made between citizens and the government in the Annual Operating Plan. These participatory and consensus mechanisms allow citizens to exercise their rights and duties, to express agreement, and take on responsibility, but also to question their authorities. The municipality is now one of the most democratic institutions in Bolivia, with improved credibility and public confidence.

### Authority

The national context is characterised by a high level of social conflict between rulers and institutions on the one hand, and on the other hand social organisations (police, health sector, lowland social organisations, miners, cooperatives, pensioners, people with disabilities, etc.) opposing government policies or programmes, e.g. the highway through protected and indigenous lands4. This situation is reflected in periodic road blocks and marches that, despite the usual high degree of mobilisation and tension, often do not alter normal development of planned activities. However, there is more than one form of conflict resolution. Conflicts are also negotiated between the parties as a way to ease the tension and generate calm.

### Women's Rights

"The Panos Institute reports that gender violence causes more death and disability in Bolivia among women aged 15–44 than cancer, malaria, traffic accidents, or war. Around 50 percent of woman from a variety of living circumstances throughout the country have admitted to being subject to physical abuse or intimidation in their lifetime. The vast majority of these threats come from within the family, thus keeping women from reporting the aggressions. Data about violence against women is unclear due to cultural restrictions. However, it is easy to see that the majority of women living in Bolivia today will directly or indirectly face sexual or physical abuse during their lives".[5]

The United Nations Permanent Forum on Indigenous Issue recently requested Latin American governments to intensify their efforts to stop violence against women, girls, teenagers and young indigenous, as being the poorest often they are the principal victims of this form of violence.[6] It was recommended that they strengthen institutions and indigenous organisations, as well as promote integrated policies against discrimination and violence.

Even though the municipalities in Bolivia are providing space for rights, in the case of women, this is still a challenge for power relations. Currently, the discourse of the dominant party around human

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[4] For more information see the BBC news summaries (consulted 29/08/2012)
[5] Foundation for Sustainable Development Website (consulted 29/08/2012)
[6] For more see the website of the United Nations Permanent Forum on Indigenous Issues (consulted 11/5/2012)

rights is associated with the colonial past, linking ideas of inclusion and non-discrimination to the past exclusion and discrimination of indigenous groups – a discussion that has been taken over by many local governments and organisations. In the same discourse, collective rights are favoured over individual rights, which may pose a risk to the full exercise of the rights of women.  In particular, the right to enjoy a dignified life free of violence are in opposition to practices in many communities of indigenous identity where some forms of violence are acceptable.

In 1995, the Law against Domestic Violence (Law 1674) was enacted, along with its Regulatory Decree. Both legal instruments oblige the promotion of national policies to prevent and eradicate violence against women, including the obligation for the provision of municipal integral legal services (SLIM) to provide information on rights of women, problems of violence, and legal, psychological and social services for victims. While the creation of such services is mandatory for municipal governments, only 174 (out of 339) created this institution, because many municipalities lack the resources to provide the services.

The Municipality of Quillacollo, has over 200,000 inhabitants and is composed of several districts. There is only one Municipal Integral Legal Service, for which demand exceeds technical and logistical capacities. Therefore, the absence of a decentralised SLIM in the down town of Quillacollo municipality (District 5) excluded many women from the government protection against violence. Here lies the relevance of the network that achieved the construction and creation of this service in its own zone, giving citizens – men and women – the ability to make complaints and receive care and information on family and domestic violence.

## 3.    Participation and Accountability

**Space for Participation**

The Network itself takes a very participatory approach. It has divided the various tasks and responsibilities among its members. The deputy-mayor helps the communities by contributing material and advocating for support towards the activities of the network at the Municipal level. The local NGO Wiñay develops training courses, keeps the members up to date and raises awareness of the communities on the issue of violence against women. The representative of the school board works on prevention and the coordination of preventive actions with students and teachers at primary and secondary schools. The responsible of the refuge centre coordinates with the police concerning the care and protection of victims. The person responsible for health works on getting free of charge services in cases of physical and/or sexual violence and coordinates health related activities within the network.

The network meets every two months in the meeting hall of the deputy-mayor to evaluate the work plan. The directorate of the network is renewed every two years and the members are responsible for the monitoring of the implementation, the communication with the members, and internal decision-making.

The network also participates as one of many decision-makers in the participatory planning process of the municipality. This is an institutionalised space in all municipalities to ensure participation of citizens and social accountability, going beyond the existing political tensions within the municipality. The network manages to put forward its demands and proposals thanks to the support of the 36 leaders of the zone (neighbourhoods) who are part of the network.

The municipality of Quillacollo gave the network the responsibility to ensure quality and warmth in the service delivery. The network was also invited to participate in the contracting of specialised personnel in each of the required areas (legal, psychological and social). It also acts as a Watchdog, on how these services are implemented.

In fact, the network now goes beyond the topic of violence against women and promotes political participation of women in the 36 neighbourhoods. It is also promoting gender-sensitive planning in the district. To this effect, a strategy is being elaborated to approach the municipal council members,

through training and common agenda building, to formulate actions and proposals that are gender-sensitive for the Annual Operational Plan of the Municipality.

**Accountability**

In terms of accountability, the watch-committee, which is part of the network is an important institution. The committee is composed of 36 neighbourhood representatives from District 5. They are elected by the citizens, and their role is to hold the municipal government accountable for the use of public resources and to represent demands and proposals from citizens. The committee ensures that the Municipality complies with the promises made regarding the budgeting of activities to fight against violence.

Since the beginning of the program, exchange events were held at national level with the participation of the Deputy Minister for Equal Opportunities. The latter actively participated in establishing a coordination link with the local level to obtain feedback on national public policies on this issue.

From the initiatives and experiences developed, PADEM designed guidelines for strengthening SLIM and networks, that have been approved and then published by the Ministry of Autonomy (responsible for municipal development) and Justice (which has jurisdiction on the issue of violence against women). PADEM also supported partnership building between NGOs (local and international) and other cooperation agencies, to achieve joint and complementary actions.

The "Best of Me for You" initiative was awarded three times in a row as one of the best proposals in this national competition and contributes to the implementation of the Law at local level.

# 4.     Analysis and Main Lessons Learnt

In order to make power relations more inclusive and pro-poor, understanding more about these power issues and where to engage is key. The power cube, as a framework for analysing the spaces, places and forms of power and their interrelationship and will guide the assessment in this chapter.

Regarding relevant **places**, the initiative started at local level, by citizens, and the activities of the network are at a very local level, working on concrete issues. However, there are a number of links that have been made to the national level, e.g. through the PADEM programme, when it launched a national competition and also through the Ministry. The case-study seems to show that the local initiatives are influencing national level, by including the Deputy Ministry in strategic moments and through the development of guidelines. There does not appear to be a global link, but since the project is in its infancy, this could still be established at a later stage. As the power cube claims that the most effective transformational change happens if all levels are addressed, this could be a recommendation for the future of the project.

The **spaces** created through the network are both claimed and invited. Initially, citizens claimed the space, by bringing up the issue, handing in a proposal to the national competition, and setting up the network. By inviting all relevant stakeholders to participate, spaces in various "spheres" were claimed, thus creating opportunities for dialogue where previously this had been difficult. Due to the legitimacy the network has gained, it is now invited by local government to participate in formal spaces of municipal planning and decision-making. It is foreseen that the network will participate in the formulation of the 2013 municipal operational plan so that the network can advocate fort he allocation of sufficient resources (equipment, human resources, finances) for the functioning of the recently created SLIM. The network is an open space, which tries to incorporate all relevant actors to be part of the initiative so that can truly represent the population in the elaboration and implementation of municipal policies. The network is recognised by civil society and local authorities because it functions democratically and horizontally. Since its establishment, it searches to represent in transparent way the needs and proposals of the population with regard to violence. It has avoided being influenced by party politics in its actions. Thus it has successfully balanced

various interests, by including non-political actors, such as a university, teachers, the Church, NGOs and professional women activists, e.g. the coordinator of the network. The constant efforts of the coordinator of the network to be impartial and inclusive has also contributed to the functioning and legitimacy of the network.

Regarding forms of **power**, Bolivia has decentralised government structures. The structures provide space for the inclusion of citizens through representation in the councils and through the watch-committee, which monitors the implementation of the municipal plans. The mayor, councils and watch-committees are all elected. Interestingly, in Quillacollo, women hold the majority in the council. However, there is clearly also hidden power. Council members of the dominant party have tried to influence and even change the formal structures in Quillacollo, when they tried to oust the mayor (who is from another party) shortly after he was elected – and claim the seat for their own party. Despite these power struggles, the local authority has continued to corporate thanks to the support from the population that elected him. The SLIM was constructed as agreed. There are also clearly invisible powers, which lead to the discrimination of women. Unequal gender relations are made acceptable by claiming they are part of culture and traditional practices. Violence against women is accepted as part of tradition and is difficult to put on the agenda. Men initially questioned the actions of the network due to their conservative and patriarchal attitudes. However, through awareness raising targeted at men and by getting their buy in through "the march of men for men", the network was accepted. It is imperative, that, apart from offering quality services to women, work on the causes of violence and prevention continues. For this reason, the network develops training activities and updates / informs its staff to pay attention in an integral manner in a gender perspective, to not only look at violence but also the elimination of the practice, and its abusive power and patriarchy that underlies it.

**Some main lessons learnt** in this case are the importance of:

- **Common values**: The issue of gender violence can only be resolved if one shares a value system based on human rights. If this is achieved, the topic becomes a reason for unity and mobilisation.
- **Shared responsibility between citizens and local authorities**: Shared responsibility is essential to achieve agreements, generate proposals and gain access to local resources, as well as contribute to municipal governance.
- **Informed civil society**: If civil society is informed and awareness is raised on the issue and on rights, this can create a process of civic mobilisation, with concrete proposals, which can influence the formulation and implementation of municipal policies - even if initially the issue is not seen as priority for the public agenda by local authorities.
- **Involvement of strategic allies**: The inclusion of men as allies is fundamental, as violence against women is a problem of both men and women. Also, if this is not done, no real transformational change can be achieved. Inclusion of influential stakeholders also proved crucial. The participation of the local leaders was crucial to gain approval for the use of terrain for the construction of Municipal Integral legal service. Other actors, such as the police, the justice sector, and other government officials are also important to cut the cycle of violence.
- **Right type of support:** Ownership and sustainability were created by supporting the initiative with training, capacity building, workshops and field visits, rather than through financial means. This meant that the money-trap was avoided, that could have created dependencies. Also nobody had more power due to access to funds than others, so the power was shared equally among all stakeholders. The necessary funds were sought from the Government, who, in the end, also has the responsibility for the implementation of the SLIMs as per legislation.
- **Training as an entry point**. Training and awareness raising were used as entry points, not as a goal in itself. It was deemed necessary to have a common understanding of the issue and appears that this helped to elaborate common objectives and agendas.

# 5. Concluding Remarks

The case study shows how initiatives of citizens can have positive results and transcend political differences with only a little project support. Very limited funds were offered directly to the network. The focus was on capacity building, i.e. strengthening ownership and sustainability. Focusing on common objectives helped to keep the network going and continue the work for which it had been created. Political forces and power struggles in the formal structures pose a risk for the continuation, but so far this has been mitigated. Because the network also consists of non-political members, it has gained the legitimacy of citizens. That the network is high-jacked by political interests is still perceived as a risk, but this is unlikely to happen as long as the network remains multi-stakeholder, and focused on clear objectives. The greatest risk is the constant of change of local authorities by parties in the councils. This could hamper and even paralyse the planned activities, such as those for the functioning of the SLIM.

The network appears to have achieved a kind of "sharing power" mechanism which transcends politics. It has accomplished this by including different stakeholders from both government and civil society, through a participatory approach and transparency within the functioning of the network. Apart from highlighting the importance of having a transparent and democratic working mode, this suggests that the leadership style is very important to bring members together and focus on the common objective.

Finally, the national competition which supported the initiative is an interesting mechanism that could be replicated in other countries. The competition focuses on a clear topic and offers interesting possibilities for civil society to collaborate with local government. The fact that the competition is repeated every year, allows for continuation of initiatives and support. Regarding replication of the network, it is not clear if and how it could be replicated in other municipalities, as it is based on the initiative of citizens and the ownership is likely to be weak if initiated by external actors. Perhaps, if the idea were to be promoted and shared, interested and concerned citizens in other municipalities would take up the issue and ask for support from the network and/or through the national competition.

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Learning Project
**Civil Society Participation
and Accountability
in Local Governance Processes**

dlgn
Decentralization and Local Governance Network

# REBUILDING LOCAL DEMOCRACY

## Bosnia and Herzegovina: Municipal Development Project (MDP)



Meeting of authorities of the Doboj Municipality with representatives of a local NGO

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Joy Elamon (Case Study)

New Delhi, October 2012

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# List of Abbreviations

| | |
|---|---|
| BiH | Bosnia and Herzegovina |
| CSO | Civil Society Organisation |
| FBiH | Federation of Bosnia and Herzegovina |
| MDP | Municipal Development Project |
| MDPi | Centre for Management, Development and Planning |
| MZ | Mjesna Zajednica |
| NGO | Non Governmental Organisation |
| RS | Republika Srpska |
| SDC | Swiss Agency for Development and Cooperation |

# 1. Background

The Municipal Development Project (MDP) in the Doboi region of Bosnia and Herzegovina (BiH) which started in 2001, reached the end of its third phase in 2011. Supported by the Swiss Agency for Development and Cooperation (SDC), the first two phases were implemented by Intercooperation and the third by the Centre for Management, Development and Planning (MDPi) – an NGO based in Doboi. The overall goal was to have the municipalities in the Doboi region lead their development processes in accordance with the principles of good governance and continuously upgrade the standard of living of all their citizens. One of the components was to develop and institutionalise mechanisms and processes for public and community based participation, with special emphasis on gender issues and the provision of equal opportunities to all its citizens.

Over the years, in an effort to attain the standards laid out in the European Charter of Local Self Government, BiH has been adjusting and developing its legal framework on local governance. Some gaps remain with regard to the implementation of the new norms, in particular when it comes to ensuring participation and accountability, which are key components of good governance, as outlined in the Charter.

The pre-war socialist Yugoslavia had some forms of local self-governance. However, the positions of the municipalities and the sub municipal structures at village or city quarter level called **Mjesna Zajednica (MZs)** were weakened by the breakup of Yugoslavia and the war and post-war situation. The Mjesna Zajednica is a traditional local self-governance structure at village / city quarter level, which is nowadays integrated in the main local governance laws, but with lesser powers than before. As municipalities are rather large, the MZs are the most appropriate structures for direct participation of citizens in governance processes. Due to this loss of power, coupled with a lack of clarity on the role of MZs and a related loss of citizens' confidence in them, participation in these local fora decreased.

The MDP has been trying to address these aspects. While the first two phases have paved the foundation for strengthening participation and ensuring accountability (awareness creation, capacity development), the main objective of third phase was to increase the influence of "empowered people" at MZ level. The focus of the third phase was on integrating MZ priority setting and action planning within the municipal budget and planning process (institutionalisation). The main visible impacts include the higher awareness of MZ stakeholders about their democratic rights, increased capacities to get engaged in municipal decision making, more integration of local priorities in municipal planning processes and a significant improvement in the communication between MZs and municipalities, thus strengthening downward accountability.

# 2. Context and Power Analysis

The war had a significant impact on the lives and livelihoods of people, but also on the various local governance systems that existed formally and informally. In the pre-war period, the municipalities acted as local governments. With the growth of these municipalities, they could no longer manage all the tasks of a local government and consequently transferred some of these tasks to MZs. Through this delegation of functions, the "traditional" MZ structure was re-vitalised and MZs became legal entities with specific rights and powers. During the war, they could not function at all as warring groups controlled all powers relevant to governance.

After the end of the war and through the Dayton agreement, **power was centralised (mostly at entity level[1])** in a new Constitution. The MZs were not get reorganised to fit into this new institutional set up. Despite this, they continued to exist and function in some areas, but overall it took several years until they were formally re established in the laws on Local Self- Governance. Yet, these laws did not give full clarity on the roles and powers of the MZs and it was left to the

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[1] Republika Srpska (RS) and Federation of Bosnia and Herzegovina (FBiH) at sub-state level.

municipalities and cantons (regional structures in the FBiH) to regulate the MZs. Consequently, the decision to decentralise and institutionalise MZs as participatory fora of democracy lies in the hands of these municipalities and cantons. In practice, the MZs are mostly not legally accepted structures. For example, their jurisdictions are yet to be made clear and their sources of funding are dependent on the decisions of the municipalities. This lack of legal obligation of municipalities to strengthen MZs has weakened the legitimacy and processes at the local level for participation, action planning and mechanisms for downward accountability. In this context, citizens too do not always see tangible benefit of having MZs.

The war also destroyed organised civil society structures and led to a change of priorities of the citizens of BiH. Many rural areas were abandoned or destroyed, people displaced and economic problems prevented the people from demanding for the reinstallation of the MZs. Overall, the **open space** for **participation** was reduced and the organised civil society was weakened and unable to demand for spaces to be opened. In addition, the state / entities did not reinstall MZs as visible and formal space for participation and downward accountability. Instead, they transferred own powers to the municipalities and cantons but left it to their discretion, if and how they wanted to make use of it. The new law on local self governance (2006) gives a certain strength and special position to the MZs, though not the same position they enjoyed earlier. However, MZs are still not referred to as means for direct citizens' participation, but rather as a country-wide legal entity and mandatory form of local self-governance (with a focus on service provision in villages). Again, it is in the discretion of the municipalities to decide what level of powers and functions they want to delegate to MZs.

Another problem is the **highly complex multi-level state structure which is to a large extend structured along ethnic criteria**, where most important legislative authority is at the entity level (FBiH, RS). The power of municipalities is limited, i.e. they can mainly regulate the implementation of the existing legal provisions. To make things worse, the FBiH has delegated core legislative power to the cantonal level (10 cantons in the FiBH). The problem of this wide discretion of cantons in regulating the functioning of local governments is most evident where ethnic majorities at the municipal level are minorities at the cantonal level. So, there are the visible powers at the cantonal level as well as the invisible powers by way of majority in the cantonal level calling the shots. In general, these levels do not have any open spaces other than the Assembly where only the representatives can take part. Here again, the majority rules and the interests of the minority get sidelined. In this context, where politics, institutions and decision-making are divided along ethnic lines, which are visible in certain cases and invisible in most of the cases, **concerns about minority rights, gender equality, citizen participation in decision making downward accountability do not receive much attention**.

Although legally, equal opportunities for being elected are guaranteed, the lack of access to resources prevents many of the underprivileged to compete in elections. In addition, due to the deeply politicised and ethnicity-based election culture, people who are not associated with dominating political parties do not get space for participation in such democratic fora. Thus, even **though the system seems to provide open spaces, in practice the invisible powers in the form of dominating political parties (still often defined along ethnic lines) dominate the scene**. This is applicable at all levels, at the municipal, cantional (in FiBH), entity and national level.

## 3.    Participation/ Accountability Mechanism(s)

In order to meet its goal of developing the municipalities in the Doboi Region to become examples for good local governance in BiH, the MDP project searched for ways to increase citizens' participation in the context described above. The chosen approach was to engage with both the municipal officials as well as citizens and their organisations. First, the status of citizen's participation, civil society organisations and MZs in the project area were assessed. This analysis resulted in the understanding that the project should aim at increasing the potential of the MZs as traditional area-based participatory mechanism. The steps included creating MZ action planning and

facilitation teams (create spaces for participation at the local level), and capacity building of MZ stakeholders to empower them to play a more active role (claim spaces for participation at the local level). It was hoped that the establishment of communication channels between MZ and local government representatives by facilitating exchanges during the preparation of the MZ action plan, would open up the closed spaces and also serve as an avenue for demanding spaces. This also served to address the issue of downward accountability to some extent.

In the MZ action teams, all interested citizens from the village / city quarter were invited to participate and the decisions were taken by consensus of all members (in some cases complemented by opinion polls about priority projects), with the intention to address the issue of hidden and invisible powers. One problem faced in practice was that the local political agenda (invisible power) had a significant influence on the decisions made in any of the open participatory fora. In many cases, there was a risk of elite capture by way of the hidden powers represented by the local political elite, both at the municipal and MZ levels.

Legally, the Mayor is accountable to the Municipal Council and the Councillors are accountable to the citizens. However in reality, with the dominant political outfits controlling the Councillors, their actual main accountability is towards the political party they represent and not towards the citizens. This is even reinforced by the fact, that social accountability mechanisms in BiH are weak and the citizens' are not used to challenge the Councils decisions. **Thus, the invisible and the hidden powers articulated through the political system prevent the citizens to use even the invited spaces, and prevent the effectiveness of created and/or claimed spaces**. This was the real challenge faced by the project MDP.

The MDP focused on creating new spaces for participation and later getting them institutionalised. As mentioned, one of the key tools used was the MZ action planning process. Also, the project fostered local partnerships among different sectors at municipal level, e.g. inter-sectoral working groups. In addition, it supported invited spaces instruments like public hearings and public consultations. The MDP tried to make effective use of these spaces by defining rules for organisation of public hearings, etc. **The MDP hereby aimed at democratising the rules and spaces, thus also changing behaviours and institutional cultures**. All these efforts were complemented by capacity building and co-financing of projects. Nevertheless, the capacities and sustainability of local NGOs and CSOs have been and still are one of the most critical factors limiting the institutionalisation of these initiatives.

The institutionalisation question also leads to the issue of existing power structures at various levels. While projects like the MDP can take up such initiatives, the key success factor is their integration within the overall municipal level system. This, in turn, depends very much on decision makers like the Mayor and the Municipal Council. The MDP worked closely with the executive side (officers and mayor) and some of the Councillors too participated in the processes. In spite of some good practices, broad institutionalisation cannot yet be observed. In many cases local political elites were not in favour of accepting citizen inputs in decision making. Another challenge were situations, where political leadership in municipalities and MZs were from different groups / political parties. Since the citizens were fully aware of these power dynamics, they were also more reluctant to invest time and energy in participation.

The MDP made **specific efforts to provide space and voice to the disadvantaged people like women and youth living in rural areas**. These too faced the invisible power of the traditional understanding that the "older men" represent the families in public. In addition, the MZs and other similar participatory platforms have traditionally been occupied by the prominent elderly people, where women and youth did not play a big role. Still, it is important to note that the MDP was able to mobilise active and outspoken women and youth to engage in participatory processes at the local level. Successes were observed mainly in those places, where the MZs were able to access local government representatives and action plans were institutionalised.

Regarding **accountability**, sustainable progress could be achieved in those cases, where new formal and informal communication channels between MZs and municipalities were installed and

pursued even after the closure of the project. Joint implementation of specific activities of the action plan through co-financing (municipality, MZ, MDP) was also a good instrument to convince the MZs that their ideas and priorities were welcomed by the municipalities. Nevertheless, sustainability, i.e. getting the concept and experiences institutionalised through the legal framework is yet to be achieved.

# 4.    Analysis and Main Lessons Learnt

The MDP project started in a post-war context with a new governance structures in place.  It was a highly complex governance system along the ethnic lines – the man goal being to achieve a ceasefire and end the war. This, in turn led to powerful cantons (in the FBiH) and municipalities. Therefore, at the initial project stage, the legitimacy and potential of the MDP resided in BiH' vision to become a member of the European Union, which required fulfilling standards regarding local self governance structures and citizen participation in decision making and governance at the local level as defined in the European Charter of Local Self-Government.

More than 10 years later, the country has democratic bodies in place at various levels. In principle, elections are open to all citizens. However, resources are required and the existence of dominant political parties prevents many citizens who are not affiliated to any political party to occupy these so called open spaces. The space for inclusive participation becomes more open as one goes down to the lowest level of governance, i.e. MZs. The new law on local self governance from 2006 sets the frame and clarifies the position of MZs.  However, this position and related power is still dependent on what is transferred to them by the cantons (in the FBiH) and municipalities. Despite this constraint it can be argued that the MZs provide space or at least a scope for claiming these spaces at local level.

In this context, the project focused on four main strategies: the creation of MZ action teams as new spaces for participation, capacity building of MZ stakeholders, fostering communication between MZs and municipalities and co-financing implementation of MZ priority projects. The overall **approach of the MDP was to work with the civil society at the MZ level as well as the municipalities where interaction and involvement of the Mayor and other officials are guaranteed**.  This was expected to strengthen the process of advocacy and policy influencing. Though not highly successful across the project area, there are many municipalities where the various processes are still being continued with the enthusiasm of MZ activists.  In many municipalities, the MZ action plan is being implemented.  In many cases this has also paved the way for a culture of participatory mechanisms and communication channels. Though officially and legally not yet fully integrated in all municipal systems / regulations, there are instances where the civil society managed to creating spaces and to influencing planning, budgeting and policy making processes.

It is obvious that power relations played a major role in the whole process. While the visible power of the national level government enacted the law for the existence of MZs, it shied away from defining their character, powers and rights. Hidden powers could have played a role in leaving such decisions to the cantonal and municipal levels.  On the other hand, the cantons and municipalities are reluctant to define the MZs and provide adequate powers and resources to the MZs, thus weakening the system.

In practice, it is primarily the hidden powers in the form of dominant political party leadership and political elite which take the decisions in various participatory platforms in the municipalities and cantons (including the councils and assemblies). Since the systems puts strong emphasis on majority, i.e. often the majority of respective ethnic groups, the voices of the disadvantaged and the marginalised rarely get heard.

Finally, in MZs invisible powers also play a major role. The socio-cultural norms and belief that men are supposed to represent the family take away from women the invited space to participate in decisions making processes. As MZs have traditionally been a platform for rural elderly elite, the

youth is also excluded of this open space. Consequently, overcoming these problems regarding access to spaces was a difficult challenge.

The MZ action plans and their inclusive elaboration process ensured that they contained strategic directions and projects of interest for the MZ population (including the disadvantaged) beyond the mere interests of the political elite. By empowering the MZ action teams through training cycles, they were empowered to make the prioritisation of community problems in an informed way.

**Main success factors were the following**: Always ensuring that the facilitator is neutral; Organising events at locations close to citizens and making sure that the people are motivated to discuss and speak freely (i.e. go to the people where they feel at ease!); Assessing the local political economy. Capacity building in terms of raising awareness and introducing new methods and approaches has been the most successful and important project strategy. Local governments were encouraged to communicate with the community through channels which are closer to the people, e.g. the local radio stations, community public boards and internet. In addition the MDP supported their institutionalisation to make these efforts sustainable. The MDP contributed to the strengthening of a democratisation process in the MZs and municipalities in the project area. However, it is important to note that major influence and changes in the national / entity policy and legal framework could not be achieved during the project implementation.

**With the outlook to apply lessons from the MDP to other cases / countries**, it is crucial to highlight the context in which it was implemented. BiH is in a post-civil war situation where stability and national integration is the main concern. In this context, a lack of trust of visible and hidden powers in the political system constitutes a strong hindrance to any democratisation process and provision of participatory fora. In addition, the municipalities and the cantons were empowered to decide on the status and powers of the MZs, which could be considered as the most effective participatory governance structure in BiH. However, the municipalities and cantons were also reluctant to delegate powers and rights they recently received. This meant that the MZs had to create or demand spaces and compete with visible and hidden powers for their rights.

These were the reasons, why many of the MZs were weakened together with the capacity and confidence of citizens in such participatory fora. On the one hand, the Laws on local self governance and the need to implement them effectively provided the need and potential for the MDP. On the other hand, the hidden and invisible powers through the political elite and the prevailing societal norms and practices posed major challenges. Therefore it was key to work both with the municipal functionaries and civil society actors. A diverse set of strategies was applied, e.g. capacity building, co-financing and providing platforms for participation to ensure effectiveness. Instead of directly addressing accountability issues, the project strategically opened the communication channels between MZ stakeholders and the municipalities, which in turn opened up a space for engagement and ensuring accountability.

Other important lessons can be drawn related to the policy influence. Particularly in a post-war situation coupled with highly active political parties, harmonisation with other projects, like-minded initiatives and donors is key. In addition, it requires a lot of interaction and engagement with the "political system", including the visible and hidden powers at all levels. **If and how a project like the MDP can and/or should address them is a critical question.**

**In conclusion, it is obvious that a thorough political economy analysis, which includes structures, laws and visible spaces, but also invisible and hidden powers and spaces at all levels, is of utmost importance before starting any initiative in similar circumstances.**

# 5. Concluding Remarks

Over a decade, the MDP has provided different experiences and learnings on how participation in decision making could be established in post-war emerging democracies. The understanding that the power relations at all levels matter a lot in such initiatives is key. Visible powers are held by the approved governance structures at the national, cantonal, municipal and MZ levels, while hidden powers are exercised through the political elite and the dominant political parties and ethnic groups. In addition to these, there are invisible powers based on socio-cultural norms that exclude certain groups like women and the youth from the so called open and invited spaces, especially at the lower governance levels.

The MDP was successful in creating the awareness and demand for such spaces and also in creating specific spaces in the project area. It contributed to the development of a culture of participation in MZ action planning and communication between citizens and local governments through establishing communication channels. These are important achievements considering the political and power situation in the country.

However, we cannot expect projects of this nature to be the panacea for participation and ensuring accountability. The transfer of these experiences into legal reforms would be possible only if the higher level authorities and the main power holders are addressed and on board. In addition, without understanding and directly or indirectly engaging with the hidden powers of the political system, such initiatives on participation and accountability cannot be made sustainable and institutionalised in such a complex situation.

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Decentralization and Local Governance Network

# LEARNING TO SEEK AND ACCESS SPACE – CIVIL SOCIETY IN THE MAKING

## Lao PDR: Learning House for Development (LHD), Support to Civil Society (SCS)



A community Day in session, which discusses various problems being faced by the community

Agnieszka Kroskowska, Nithsa Vongphanakhone (Key Informants)

Joy Elamon (Case Study)

New Delhi, August 2012

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# List of Abbreviations

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| AEPF | Asia Europe People's Forum |
| CSO | Civil Society Organisation |
| GoL | Government of Lao |
| INGO | International Non Governmental Organisation |
| LHD | Learning House for Development |
| LPRP | Lao People's Revolutionary Party |
| MDG | Millennium Development Goals |
| MoHA | Ministry of Home Affairs |
| NPA | Non Profit Association |
| PDR | People's Democratic Republic |
| SCS | Support to Civil Society programme |
| SDC | Swiss Agency for Development and Cooperation |
| UNDP | United Nations Development Programme |

# Executive Summary

Laos has one of the most constrained civil societies in the world with very limited space for citizen engagement and participation. Recently, a gradual opening up of this space is taking place, as the Government of Lao (GoL) is starting to acknowledge the need for citizen participation and the contribution civil actors can make towards achieving the Millennium Development Goals (MDGs). HELVETAS Swiss Intercooperation built on this potential by launching the initiative Learning House for Development (LHD) and implementing the newly launched project on Support to Civil Society (SCS) funded by the Swiss Agency for Development and Cooperation (SDC).

Ensuring participation and accountability in a country characterised by single party rule and democratic centralism is a challenge. This is compounded by the fact that the civil society is weak, and that visible and invisible powers are operating through the party hierarchy and closed spaces at all levels. The **Learning House for Development (LHD)** has been trying to address this through sustained and slow facilitation of a process of strengthening civil society organisations by providing a space for learning, training and knowledge sharing. In order to develop a culture of good governance practices, the internal system of the LHD follows principles of good governance – including inclusive participation and downward accountability. The aim of the newly launched **Support to Civil Society (SCS)** project is to support civil society organisations on the one hand, and the Ministry of Home Affairs on the other, e.g. by building its capacities for implementing the Decree on civil society organisations.

In the context of Laos, a patient, sustained and long term commitment is required to ensure participation and downward accountability at the national and local levels. The initiatives presented in this case study have initiated this process and the results are encouraging. So far, key lessons learnt are that strategies to ensure participation, accountability and local democracy must be context-specific, should be implemented with a large timeframe, sufficient resources and given space to evolve. Experience has also shown that formal and informal alliances and numbers, i.e. reaching a critical mass matter a lot.

# 1.    Background

During the last two decades, the war-torn and highly centralised Lao PDR has been moving towards market economy. It has one of the most constrained civil societies in the world with very limited space for citizen engagement and participation. However, a gradual opening up of this space is taking place, as the Government of Lao (GoL) is starting to acknowledge the need for citizen participation and the potential contribution civil actors can make to realise the Millennium Development Goals (MDGs).

Conscious of the opportunities of this gradual opening of spaces and considering the unenthusiastic attitude of the general population towards governance, politics and civil society actions, some development actors took the initiative to strengthen civil society engagement. For example, the **Learning House for Development** (LHD) was established in 2010 by HELVETAS Swiss Intercooperation and in 2012 a project called **Support to Civil Society** (SCS) was launched by the Swiss Agency for Development and Cooperation (SDC). The former is an initiative which began spontaneously in response to the emerging opportunity and the identified need for promoting an enabling environment for local civil society actors. The latter is a recently launched project and follows two main threads. First, SDC contributes to a multi-stakeholder civil society initiative implemented by the Civil Society Consortium and composed of nine locally active international and local NGOs. Second, it co-funds a project led by the United Nations Development Programme (UNDP) which supports to the Ministry of Home Affairs in creating and improving the enabling environment for civil society.

The overall goal of the Learning House for Development is to contribute to the creation of an enabling environment in which non-profit associations (NPA) of Lao and other civil society groups

can effectively contribute to inclusive and sustainable development of the country, poverty reduction, as well as play an active role in socio-economic development. The overall aim of the Support to Civil Society project is twofold. On the one hand, to strengthen Civil Society Organisations so that Lao citizens can rely on them to respond to their concerns and demands, and on the other hand, to make the government more responsive, effective and transparent in its action towards the reduction of poverty and marginalisation.

In an environment where there is still a long way to go for stronger civil society involvement, improved accountability mechanisms and empowered participation of the citizens in the development and governance processes at all levels, it is useful to consider these mutually reinforcing and complementary initiatives to learn.

## 2.    Context and Power Analysis

Laos has a single party system which is monopolised by the Lao People's Revolutionary Party (LPRP) that came to power through a revolution in 1975. The principle of governance within the party and thus to the entire governance system in the country is based on democratic centralism where party members take part in policy discussions and elections at all levels, but follow decisions made at higher levels. Since the party has the monopoly, it has permeated to all levels and institutions of governance like the different tiers of government, administration, military and various other institutions and organisations.

The country can be considered as a one party state in transition. Economic liberalisation which started in 1979 and has accelerated since 1986 has shown signs of impacts, e.g. impressive economic growth and related progress in achieving the MDG goals. Lao has one of the most constrained civil societies, which is also in transition. For example, the Government of Lao is a signatory to the Paris Declaration and the Accra Agenda for Action. These commitments were acted on by passing a Decree on Associations relating to Civil Society Organisations (CSOs). This Decree is expected to provide space (though restricted) to CSOs to engage in public affairs - previously, this capacity was limited to party mass organisations as they were the only accepted and legitimate civil society institutions. According to the Decree, the Ministry of Home Affairs (MoHA) has the lead in registering and monitoring all non-profit associations. Though this has the element of power vested with the government agencies over civil society organisations, it is a paradigm shift in attitude towards the concept of civil society, i.e. now there is a formal acknowledgement and legitimisation of the existence of the latter.

The importance of local governance in Laos has always been dependant on the fluctuations of the national government's decentralisation policy. This policy was characterised by a back and forth between decentralisation and centralisation – currently the country is at a decentralisation stage. Since the late 1990s and early 2000s, considerable power has been transferred to the provinces, but accountability mechanisms have not yet been defined. This is all the more critical considering the fact that the system had been highly centralised and provinces and districts have limited capacities, competences and resources. Decentralisation should be understood in the context of a one-party rule, i.e. it is not based on the principles of democratic decentralisation and the local governments are not elected. Nevertheless, the Decree on CSOs and a few other actions by the national government provide space for seeking accountability and participation, despite these restrictions.

At the national level, the spaces for civil society to engage with the government regarding political liberties are non-existent, even though having such spaces is becoming increasingly important in the lives of the population due to the economic liberalisation where large scale investment project decisions are threatening the lives, livelihoods and housing situation of the people. There are no mechanisms for citizens to participate in decision-making, neither at the national nor local levels. Redress mechanisms are also very weak, non-existent in practice or governed by the single party democratic centralism, where decisions made at the higher level are not questioned.

As is very clear, spaces are very much closed at the national level. Even while the Decree on civil society organizations is in vogue, overall governance system at the national level is controlled by the monopoly party in power. The power is very much visible as the party in power maintains the principle of democratic centralism. Even in cases where they provide spaces, it is the invisible power in force as finally the national government decides what civil society can discuss and be engaged in. Moreover, the weak civil society in Laos does not have the capacity to utilize the available spaces or create one. At the local level, there are provisions for redress through round table meetings at the village level. It could be considered as an invited space but the issue of hidden power is a barrier due to the omnipresence of the party and the absence of a democratic space. Three types of power affect decentralized governance: (i) Visible power of the national government as the various levels of governance are appointed by them, (ii) invisible power of the party guidelines and (iii) hidden power of the party hierarchy.

# 3.    Participation / Accountability Mechanism(s)

The Learning House for Development was a spontaneous initiative in response to an emerging opportunity and needs. The initiative itself is a space for participation, which implies that it has to ensure inclusive participation and accountability mechanisms within. Thus the LHD ensures good standards in gender and social inclusion through a gender balanced and socially representative steering committee. It insists on participatory decision making and feedback mechanisms, i.e. emphasises the need for a culture of participation and accountability in all areas of governance. It also supports the participation of elected civil society representatives in various exchange fora at the national and international levels. Multi-stakeholder debriefings and exchanges are organised for all relevant stakeholders, including government representatives and local villagers. The LHD also hosts the monthly Asia Europe People's Forum (AEPF) which brings together the National Organising Committee members[1] and others from the government, mass organisations and civil society. To obtain outcomes, it is important to be consistent, resilient and accept that continuous negotiation is required to achieve satisfactory outcomes. Short term responsiveness to emerging opportunities, combined with a long term vision are key. Some concrete steps which have helped ensure participation and accountability are: identifying the common interest of both the majority and the minority and the introduction of downward accountability mechanisms such as monthly user / member meetings and budget presentations. The LHD tries to raise concerns and proposes ways to ensure community voices are heard. The local non-profit association (NPA) / CSO together with various mass organisation partners at provincial level carry out participatory consultations with communities including farmers, representatives of different ethnic groups, women, the elderly, youth, monks, people living with HIV/AIDS and others. Case studies and interactive videos are used as useful advocacy and dialogue tools.

As part of empowering the CSOs, specific activities were organized. This includes the preparation of a directory of CSOs, interactions with donor agencies, and many thematic workshops like Land Policy information session, Sayaboury Dam information session, REDD+ information session, Aid Effectiveness Framework orientation sessions, and Civil Society Consortium program consultation workshops. LHD also provides library and incubator services. In addition, it facilitates the partner organizations to implement and fund specific network projects (ex: joint exposure field visits to network member target areas and joint training courses (Information technology, English language, Governance and board development, accounting and financial management, proposal writing and reporting; Advocacy etc.). These enable them to participate effectively in the available spaces. For example, the local gender focused CSO partner was able to facilitate a multi-stakeholder consultation around land policy leading to communal land titling officially recognized by local authorities. In the same way, the local partners facilitated inclusive and participatory multi-

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[1] The National Organising Committee is responsible for organising the Lao people's input to the AEPF

stakeholder consultations whereby local government partners were exposed to ways of engaging with communities in decision making and planning processes.

The Support to Civil Society project is not yet fully operational.  In order to ensure participation and accountability, the strategy is to foster a multi-donor approach where INGOs, NGOs and local governments define an agenda or work plan together.  A specific component is earmarked to support civil society organisations to organise themselves and engage more effectively in agenda setting and key policy forums at local, national and global level.  The project also has a component to support the Ministry of Home Affairs, i.e. to make it more capable and responsive in the registration of CSOs.  The third component specifically aims at improving coordination, information and knowledge management as well as adherence to agreed gender sensitive and inclusive operating principles among CSOs, INGOs and other stakeholders.  It will establish an information and knowledge management system to contribute to improved coordination and knowledge management among CSOs and other stakeholders, facilitate CSO service delivery and advocacy efforts, and support the implementation of the capacity development service delivery model.  It is hoped that the CSOs will gradually take on the task of monitoring the performance of service providers – especially local governments – so that they are more accountable to their citizens.

In both the cases, the design and structure of the initiatives are the key success factors.  They are becoming models in providing inclusive spaces for participation and downward accountability.  This is important in a country where the space for participation had been negligible or even absent and downward accountability was unheard of.  It is important to develop a culture of participation and accountability by being an example and leading the way.

The limitations and challenges of the initiatives are closely linked to the context. Even the National Assembly which is supposed to hold the government accountable is weak and the local mechanisms for ensuring accountability are non-existent.  Also, in the case of civil society organisations, the reminiscences of the past are barriers to ensuring effective participation and accountability.  Power dynamics between 'old guard' ex-government mentality and progressive approaches can still be observed even within the participating organisations. These challenges are not to be underestimated.  Any unguarded step or overenthusiastic action could lead to a renewed closure of the existing or emerging space for participation.  The international conventions may prevent the Government of Lao to return to the conditions of the past, but the invisible and hidden powers can be used to hijack and weaken the proposed spaces which are yet to be truly opened. Needless to say the scope for created, claimed space would then be closed for ever.   Consequently, both interventions can be described as risky tightrope walks.

Such initiatives in not so favourable conditions require concerted efforts and joint actions by local, national and international actors.  The following example points towards this. The LHD most often serves as a discussion and exchange space, while informal networks are addressing the issue more concretely at field level.  For example, while the LHD would host an internal orientation event around a specific policy like land and resettlement, the informal Land Issues Working Group (LIWG) will facilitate policy dissemination, legal aid and awareness raising at community level through its members and legal aid partners.  Joint petitions and 'concern raising' letters are also facilitated via the LIWG to give a feedback on community issues to central level decision makers and stakeholders.

Harmonisation would lead to increased impact potential and risk reduction.  In the case of LHD, it was able to bring together Helvetas Swiss Intercooperation, Oxfam Novib and the Embassy of France.  While the Support to Civil Society has provisions to work with other international actors through Steering committees and Round tables as well as components to supplement projects like MoHA-UNDP so that harmonisation is attempted, the LHD partners with other agencies especially using Aid effectiveness agenda as  a platform.  The latter is a key member and co-lead with the iNGO Network for one of the outcomes of the recently launched Lao Civil Society Consortium, for which SDC is also contributing.

# 4.    Analysis and Main Lessons Learnt

As described, both projects are working in a situation where the governance system is based on single party rule and democratic centralism – which by definition is hierarchical and does not provide space for participation.  This unfavourable situation is compounded by an almost non-existent or weak civil society.  Even while decentralising, this does not automatically lead to the adherence to the good governance principles of participation and accountability.  The visible and invisible powers exercised through the party hierarchy add to the woes at various levels including the local level.  The party is omnipresent and is controlling legislative bodies, government administration, mass organisations and the military in an already weak justice system.

Developments triggered by economic liberalisation and the ratification of various international conventions could have encouraged the government to decentralise and create spaces for civil society to engage with it at different levels.  However, these spaces remain tied to elements of power as well as certain spaces and places.  At the national level, visible powers control the governance system and related spaces are nearly closed.  Even invited spaces are influenced by invisible powers, i.e. through party-led mass organisations and agenda setting at both national and local level.

Nevertheless, it would be wrong to describe the various steps taken towards decentralisation and civil society engagement as a farce.  In fact, transferring more power to the local governments (though not democratically elected) and enacting the Decree on civil society organisations have opened up spaces and potentials for participation and ensuring accountability.  As identified by the LHD actors, it was the spontaneous response to these emerging opportunities and needs which led to the Learning House for Development.  Similarly, the project Support to Civil Society, was built on the environment set through these governmental actions and the National framework.

The mechanisms chosen by these initiatives are also dependent on the context.  In both the cases, the focus was on enabling the civil society to use such spaces that were being opened up.  Even the names chosen for these initiatives are important, i.e. Learning House for Development as the concept of learning is less threatening.  Local civil society actors needed both capacity building and space to engage, network and exchange in a coordinated manner in a safe environment – all of these things are offered by the LHD.  It also provides an enabling environment for local CSOs to exchange on issues of national interest.  The LHD uses the Aid Effectiveness agenda as a credible and safe entry point.  The focus is on providing and empowering the local CSOs with information and knowledge.  The Learning House for Development by itself does not advocate for or implement projects, but provides a space for those who engage in such activities to prepare, to become informed, to strategise and coordinate.

In addition, the Support to Civil Society project supports the MoHA to develop its capacities to be responsive to the various challenges in the process of registering CSOs. The LHD strategy has been to provide safe space to the civil society in engaging with the government, and not to directly advocate or implement, i.e. trying to avoid the possible direct confrontation with existing powers.  To keep government on board, government representatives are invited to training programmes and knowledge sharing events. It also takes care of inviting and addressing government players in their consultations.  The Support to Civil Society project goes on to address the powers by directly supporting the MoHA in its own capacity building to engage with civil society organisations.

As mentioned earlier, the introduction of the concepts of participation and accountability were also key, including demonstrating their value.  The initiative itself had to develop internal mechanisms of good governance and ensure inclusive participation and downward accountability, in order to lead by example. Both the Learning House and the Support to Civil Society programme try to be inclusive by ensuring spaces for the marginalised groups. In the LHD, the steering committee is gender balanced and representative of different layers of society.  Consultations at all levels ensure the participation of all members within communities, including farmers, ethnic groups, women, the elderly and youth, monks, people living with HIV/AIDS and others.   The third component of the Support to Civil Society

project specifically aims to improve coordination, information and knowledge management and adherence to agreed gender-sensitive and inclusive operating principles among CSOs, INGOs and other stakeholders.

Even in this difficult terrain, the LHD has been able to make a visible difference. In a culturally, institutionally and politically hierarchical environment, where power relations continue to be imbalanced, the LHD has been offering a space for discussions and whenever possible it has coordinated the strategising of joint efforts to trigger power shift (in some few cases though strategic engagement). Slowly these spaces are being used by CSOs for small, joint interventions. For example, by producing a sensitive radio programme or by organising a discussion on Aid Effectiveness. Previously, these activities would have been unthinkable in the Lao civil society.

The building of this internal system based on good governance principles is expected to show the way to strengthen sustainable democratisation process and democratic culture. This is also the case of the Support to Civil Society programme where this approach is embedded in the strategy of the project. What is crucial is the understanding that by leading by example and showing own models which are contributing to the democratisation process in a society which is totally devoid of such a culture. The Support to Civil Society programme is expected to also have influence on the institutional structures as it works with the MoHA. However, it is too early to expect any serious changes in the institutional structures or legal framework at any level after this short period of implementation.

Despite this short period of project time, the LHD has facilitated much learning. The understanding, interpretation and application of concepts like decentralisation, local governance, participation, accountability and so on are context specific. Informal channels are as relevant as formal channels in such initiatives and local actors play a crucial role. It is important to be aware that civil society itself is neither homogenous nor empowered and informed about its rights and entitlements. Even the understanding of governance principles is dependent on the existing cultures and past experiences. Consequently, it an iterative approach based on local and context specific strategies is crucial. Such initiatives require time, resources and space to evolve. Hands-off approach in facilitation has reaped dividends as well as had constraints. It is important to have a flexible framework so that the initiative can respond to the needs and potentials, as they emerge. The LHD was fortunate to have such a framework.

## 5. Concluding Remarks

Initiatives undertaken through the Learning House for Development and the Support to Civil Society project are challenging. However, if they succeed, they will have a strong impact in terms of paving the way for effective mechanisms for informed and inclusive participation and downward accountability.

Visible and invisible powers operate at all levels of governance and the spaces for participation are still to be opened up. Though the decentralisation process and the acknowledgement and legitimisation of civil society organisations are under way, barriers and challenges remain to be overcome. In this context, strategies adopted by the initiatives to facilitate the strengthening of CSOs to work towards using the invited spaces and negotiate for other spaces, are important. Slow and consistent efforts together with networking and joint action through harmonisation should help move forward. However, it is a long drawn process where formal and informal alliances as well as numbers matter a lot. Still, these initiatives have initiated the process for a paradigm shift towards ensuring participation and accountability in Laos. A flexible framework for supporting CSOs, leading by example on participation and accountability, and working with both civil society and government appear to be particularly important.

# 6.    Mirroring Case study Macedonia Civica Mobilitas

**Civica Mobilitas – Key Informant: Ibrahim Mehmeti**

The case study presents very complex and very sensitive political and social environment which makes the outcome of the intervention very uncertain. In many ways, the current political constellation in Laos reminds us of the situation in the former communist countries, such as former Yugoslavia, including Macedonia, as one of its former republics. It seems similar to the period before the fall of communist regimes in the end of 1980's, but also the period at the start of the pluralist system at the beginning of 1990's. Yet, the situation in Laos seems to be even more complex due to even less favourable general political context in the region compared to that in East Europe after the fall of the Berlin wall.

The fact that the Laos' government allows international support for local Civil Society Organizations (CSOs) is promising, but at the same time, the case study makes it clear that there is no genuine interest or readiness for building a sustainable, independent civil society sector. The overall party control seems to be omnipresent and it has obviously penetrated in all levels of the society which makes the intervention in the civil society sector and its development very challenging. Thus, to compare the current situation with the civil society in Laos and the one in Macedonia, would be quite difficult, but rather the situation could be compared with the one in Macedonia at the beginning of the civil society activism which started just after the beginning of political pluralism in 1990's. At that time, when civil society organizations and individual activists were often depicted as "foreign agents", to work in the social or political transformation projects was extremely difficult. A turn-around came when the government was interested to create a positive impression, which was a precondition to get international economic and political support. If this is not the case, then the intervention becomes much more difficult and requires much more careful approach.

In the case of Macedonia, even though the position of the civil society sector is much more advanced as compared to that in the beginning of the 1990's, there is still high level of scepticism and non acceptance by citizen. The assessment showed that one of the main reasons for scepticism toward CSOs is the fact that as they are forced to "run" after grants. Often they are compromising their mission and this creates a negative perception among citizens. This negative perception is very much used by the government and the political parties to undermine the role and the intention of the CSOs, often supported by media, which are highly controlled by business elites that are closely linked to the government structures. To address this issue, Swiss Cooperation Macedonia choose the model of institutional support (budget support) as main model of support to CSOs in order to make them less "donor driven" and at the same time more sustainable in what they promote and stand for.

The SDC programme *Civica Mobilitas* from Macedonia supports the very dynamic process of decentralisation it was decided that a combination of activities would be more appropriate. The *Civica Mobilitas* programme is similar to the Policy Forum Programme which supports local authorities in participatory planning. *Civica Mobilitas* works both with watchdog organisations and with CSOs supporting municipalities to better address their obligations for service provision. This intervention also foresees close cooperation and coordination among CSOs based on their affiliations or common interests in order to strengthen advocacy.

*Civica Mobilitas* aims at supporting CSOs in a financially sustainable way. Being aware that it is difficult to talk about the financial sustainability of the CSOs because they are not for profit organisations and will need external financial support, the project tries to support the sustainability of their approach, e.g. by identifying and supporting authentic organisations that are focused on certain fields of activities and are recognised and accepted by their constituency. *Civica Mobilitas* believes that once this is achieved, a more sustainable civil society sector has emerged. Another important factor for making the approach sustainable is actively including as strategic partner the associations of the municipalities. In the case of Macedonia, the main success factor is the combination of different interventions and the project structure which included various civil society organisations

(Civica Mobilitas), the individual citizens (Community Forums) as well as the association of the municipalities which is directly linked with the governance system of the country.

The applied model of institutional support to CSOs, works with selected CSOs, who receive three years financial support. The first year they receive 50% of their annual budget and then the financial support decreases to 40%, respectively 30% in the third year. The remaining percentage is to be secured through matching funds. The experience so far has proven that all CSOs have secured almost 100% of the matching funds and in some cases, they have received even additional funds beyond the planned activities. Matching funds are very positive not only from the financial point of view, but it also brings CSOs bigger visibility and wider backing from the international community, which can be of great help in less democratic countries.

As a conclusion, we could say that although the comparison isn't so easy if we take into consideration only the current context, but again, the fact that Macedonia has been in similar situation as the one depicted in the Laos' case study, in its near past, we could say that the main lesson learnt should be seen from this historical context. In other words, the intervention should probably be designed so that local CSOs get institutional support, which would be not only financial, but perhaps even more related to their organizational capacities which would make them more resistant to challenges, especially from invisible powers. In a highly complex and sensitive context such as the one in Laos, parallel inclusion of media and careful steering by donors may also be vital for the success of the project intervention.

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# THE ROLE OF COMMUNITY FORUMS IN THE PARTICIPATION OF CITIZENS IN LOCAL LEVEL DECISION-MAKING PROCESSES

## Macedonia: Community Forum



Community Forum Session

Ibrahim Mehmeti (Key Informant)

Mengistu Arefaine (Case Study)

Bern, August 20, 2012

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## List of Abbreviations

| | |
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| CSOs | Civil Society Organisations |
| FCU | Forum Coordination Unit |
| IOs | Implementing Organisations |
| MA | Municipal Assembly |
| OG | Operative Groups |
| PR | Public Relations |
| RM | Republic of Macedonia |
| SDC | Swiss Agency for Development and Cooperation |
| ZELS | The Association of the Unites of the Local Self-government |

# 1.    Background

To promote local democracy, give a voice to different ethnic groups and ensure the participation of all citizens, the Constitution of the Republic of Macedonia guarantees the direct and indirect (through representatives) participation of citizens in the decision-making process at the local level on issues that are immediately relevant to their lives. The law on local self-government of the Republic of Macedonia describes the details of local governance and requires the municipalities to adopt mechanism designed to strengthen the inclusion of citizens in the decision-making process at the local level. Accordingly, many municipalities have included in their statutes the role of Community Forums as a form of including citizens' concerns in the decision-making processes at the local level. In addition to other forms of citizen participation, the Community Forum model fulfils a legal provision which requires the municipalities to include citizens in decision making processes. Community Forums were launched in Macedonia in 2006 – first only in a few municipalities and then slowly expanded to more than 50 municipalities (out of 85 municipalities, including the city of Skopje as a special unit of the local self-government).

The role of the Community Forum is to promote local democracy and accountability through enabling active participation of citizens in discussions that are vital to their lives. The forums are opportunities for citizens, civil society organisations (CSOs), representatives of the business sector, local institutions and other relevant bodies to meet, jointly analyse problems and propose solutions. The overall goal of the Community Forum is to enhance participatory community development and good local governance in applying a structured instrument for citizen participation – the Forum Approach. The Forum Approach is a development platform both for the citizens (at the local level) to participate in the decision making process in their municipality and also for the local administration to develop a participatory, accountable, and trusted local governance practices. Local authorities use community forums to discuss important issues with their respective citizens.

According to the 2009-2012 cooperation strategy of the Swiss Agency for Development and Cooperation (SDC), the Community Forum is part of the sub-domain Decentralisation of the SDC Macedonia. The Community Forum programme is currently in its third phase. The Association of the Units of the Local Self-government of the Republic of Macedonia (ZELS) is the strategic partner. Also, there are five implementing organisations (IOs) and a Forum Coordination Unit (FCU) that is responsible for the coordination of all activities related to the implementation of this programme.

# 2.    Context and Power Analysis

Some important **characteristics of the overall environment** were favourable to the creation of participatory and accountable local governance processes through Community forums, i.e. the legal framework, interested citizens, interest of local authorities, active local CSOs and the support of international donors. The legitimacy of local governments is generally accepted, even though participation of citizens in the decision making-process at the local level is not a very mature practice. Often complaints are made about the non inclusive nature of service provision, especially in the ethnically mixed municipalities and / or different religious communities. Also, there are some cases of complaints due to biases due to party affiliations. It is usually the mayor who takes up grievances, but the authority of the mayor is also limited due to the politicisation of issues in the society.

**All municipalities** are eligible to apply to participate in the Community Forums. However, they have to take an active role in the organisation of the forum process and co-fund the implementation of the selected projects. During the selection process of the municipalities who can participate in the programmeme, their geographic, ethnic and social aspects are taken into account.

Regarding the **main partners** of the programme, Implementing Organisations (IOs) still are the main resource necessary for the implementation of this phase of the programmeme. There are five IOs currently working in the programme, i.e. the Foundation Open Society Macedonia (FOSM), Centre

for Institutional Development (CIRa), Macedonian Centre for International Cooperation (MCIC), Association for Democratic Initiatives (ADI) and the Centre for Sustainable Development (ALKA). The IOs are responsible for the management of the forum in coordination with the Forum Coordination Unit. They are also responsible for coaching and training the facilitators, co-facilitators and cooperative groups, monitoring the forum process and reporting to SDC through the Forum Coordination Unit. The facilitator leads the whole forum process, including the coordination of the work of the co-facilitator, the operational group and the working groups. The facilitator organises and facilitates the forum sessions and the work between sessions (supported by the local co-facilitator and in coordination with the operation group). The co-facilitator supports the facilitator and the chair of the operative group and the working groups. Operative groups consist of 6-7 persons and organise forum sessions, the meetings of the working groups and recruit forum participants.

**The Forum Coordination Unit (FCU)** is responsible for coordinating the work of IOs, including the implementation of capacity building components, networking, public relations, and monitoring and reporting (to SDC). **ZELS** is a strategic partner, as it advocates for the inclusion of the Forum model in the statutes of municipalities. Also, in the third phase of the programme, ZELS will be more involved in consultations and in the implementation of certain segments of the programme. ZELS has already started to prepare the process of certification of forum facilitators. This is expected to contribute to the sustainability of this model of citizen participation.

The main expected **outcome** of the community forum programme is the sustainability of the forum model beyond the SDC intervention. The community forum has already been institutionalised by about 46 municipalities as a model of civil participation through its inclusion in their statues (some municipalities already included forums in their statutes before even being included in the forum process). The institutionalisation process is led by ZELS. A key result of the programme, a number of selected municipalities have gained experience and enhanced their skills and capacities to independently organise community forum processes. Another outcome is that human and institutional capacities for the sustainable provision of forum services have been developed independently from donor support.

**Concerning participation and responsibilities** during the forum sessions, a public invitation is sent to all citizens of the respective municipalities, inviting them to participate in the forums. The agenda is set by the forum facilitator together with the citizens. In project forums, inter-municipal forums and topical forums, final decisions are made by the citizens. In budget forums the decisions need to be adopted by the mayor and the municipal council. The biggest **challenge** in this context is the fact that in most cases local CSOs are directly dependant on the local authorities in terms of space and financing which makes them less efficient. There are ongoing efforts to address this issue by supporting local CSO through another SDC-funded civil society support programme (Civica Mobilitas).

Regarding **power** issues, although municipalities have a certain autonomy, the most powerful decision-makers in general are the political parties who appoint candidates to become mayors. ZELS is an association of mayors and thus it plays a very important role in all decision-making processes. ZELS is a strategic partner of the SDC in the implementation of the programme. Cooperation with the Ministry of Local Self-government also takes place, even though the Ministry is not directly involved in the process. According to statements of mayors themselves, the Community Forum helps them to better understand the needs of the citizens and thus enables them to be better accepted. This acceptance or promotion of trust is a good starting point for **transforming power relations**.

# 3. Participation / Accountability Mechanism(s)

Community Forums bring together a sizeable number of people, representing different stakeholder groups and participants discuss an issue of common interest. Contrary to other participatory processes, participants in the forum engage in discussions not as individuals, but as members of specific interest groups. Normally, a forum is composed of up to ten working tables, each comprising between five and ten participants. Working tables represent different socio-economic interests and points of view of the community. The forum discussions are structured around these working tables who also define the selection of the projects in the end.

While the **working tables** are constituted by the forum, the following **criteria** is applied:

- women are represented with no less than 40% at the forum tables;
- ethnic communities are situated at the working tables according to their socioeconomic interests, i.e. working tables defined by purely ethnic considerations are avoided;
- in the case of inter-municipal forums "municipal assembly" tables are avoided and participants allocated to different tables according to their interests;
- CSOs are placed based on topics related to their field of activities, i.e. separate CSO tables are avoided.

Normally, forums comprise 8 to 10 working tables. Out of those tables, one is **reserved** for the Municipal Assembly (MA) and another one for the Operative Group. The table of the Operative Group (OG) does not participate in discussions and in project selection as this group is responsible for the logistics and the organisation of the Forum sessions, for the work between sessions and the recruitment of Forum participants. The OG consist of 5 - 7 persons, all key representatives of the working tables. **Temporary working groups** are established to work between the sessions. They prepare information about a topic to be discussed, collect feedback from social or professional groups and develop ideas into projects. However, it is important to note that the process described above may vary, as there are 4 different types of Community Forums (project forums, inter-municipal forums, topical forums, and budget forums), but the essence of the process remains the same.

Throughout the phases of the programme, the **participation of women and ethnic groups** was emphasised. For this reason, criteria have been set at the programme levels requiring minimum 40% women participation at the forum sessions as well as proportional representation of ethnic communities reflecting the diverse structure of the municipality. This strategy of including women and marginalised groups is enhanced with trainings for the forum facilitators and outreach activities of the Operative Groups.

# 4. Analysis and Main Lessons Learnt

Through transparent and public processes, the community forums conduct discussions for all citizens at the municipal level. Also, an independent, external and neutral facilitator leads the discussion, i.e. the facilitator is from a different municipality and consequently s/he is not affected by the decisions of the citizens of a given municipality. Structured in groups (working tables) according to their interests, the participants discuss pre-defined issues and propose solutions or recommendations to the municipal administration, council of the municipality and other institutions.

The **Community Forums are used** to define priorities within the envisaged documents of the municipality, future priorities of the municipality, and regarding the planning and preparing of the municipal budget. Also, Community Forums can also be useful means to resolve issues that are important and affect different groups.

**The selection of forum topics** is a key success factor of the forum process. The forum topics and types are selected based on the perceived need of the respective municipality. Also, the topics of discussion must fall within the municipality's competence as otherwise there would be a high danger that proposed solutions and recommendations could not be implemented. Consequently, the types of topics of the community forum should:

- be important for the whole community (also considering ethnic and gender composition);
- address problems that can be resolved at the municipal level; and
- be selected through a participatory process and supported by a broad basis

Experience has shown that a good forum topic has already been discussed in the media, cafés and at homes before it is brought to community forum discussions.

The **community forum** process supports **civil society organisations** as it gives them a space to advocate for their topics of interest. Also, Civica Mobilitas (Civil Society Support Facility) is a complementary programme to the Community Forums. It supports CSOs covering topics that are in the competence of the local authorities through institutional (longer term) and project grants (shorter term) and who try to influence policies. For example, thanks to the initiative of one Civica Mobilitas beneficiary, the European Union is supporting a new priority area for Macedonia: "Improvement of the transparency of the public procurement" (precondition for EU accession). The direct outcome of this initiative was that the Government of Macedonia amended the Law on public procurement. Local CSOs are key to ensuring the sustainability of the Community Forums at local level, as they are the most appropriate entity – besides the municipality – to initiate forums beyond the SDC interventions. At the same time, local CSOs have good knowledge of the municipalities in which they work and they are main source for recruitment of forum facilitators and co-facilitators.

Experience with implementing Community Forums has led to the identification of some key **lessons learnt**. First, at the beginning, citizens had a less holistic understanding of forums and participated merely to get an opportunity to win a project. Thanks to outreach efforts, the citizens now understand the process better and support it. Second, the support of municipalities is essential to the successful implementation of forums. Particularly, the inclusion of mayors promotes the initiative by securing large number of attendees and the interest of the media. The support of a committed mayor is important to motivate the active participation of the municipal administration, which in turn is very important for the sustainability and good quality of the forum process. Third, in order to effectively institutionalise forum initiatives in the municipal statues, the forum processes should be made shorter and less costly. Fourth, local CSOs, the local co-facilitator and motivated Operative Group are very important elements for the sustainability of the Community Forums. Fifth, to deal with the citizens' doubts on the process it is crucial to have direct communication and informal meetings with them, especially to clarify the voting procedures. Sometimes citizens abandoned the forum because they were disappointed by the selected topic of the forum or were sceptical about the overall outcome of the process. Therefore, continuous communication and outreach efforts are very important part of the overall forum process. Finally, regarding project implementation, the tendering process is arduous with lots of pressure from different interested parties and should be made even more transparent, e.g. by including external observers. Also, the timeframe for the implementation of the projects should be revised in order to take into account different external factors, such as the weather conditions especially for infrastructural projects.


Considering that Macedonia is a highly sensitive society with considerable risks for inter-ethnic tensions, the Community Forums serves as a place for interaction between the ethnic and religious communities and thus contributes to decreasing tensions. The main **successes** of the project were:

- getting the support by the ZELS governing structures in general and the Ministry of Local Self-government to the forum process;
- institutionalising the forums through the inclusion of the forum model in the statutes of majority of the municipalities;
- achieving the certification of facilitators which contributes to the sustainability of the forums

Some **weaknesses** and **potential risks** of the project are:

- the forum process is rather long, i.e. it could be shortened;
- the implementation of the selected projects should be more in the hands of the municipalities with a smaller involvement of the implementing organisations in monitoring the process;
- the lack of independence of the local CSOs may affect the quality and the sustainability of the forum process;
- the quality of the forum process may be jeopardised once the process is solely in the hands of the municipalities and conducted by a forum coordinator, without coordination by the implementing organisations;
- there is a risk that once the process is in the hands of the local authorities, gender inclusion and especially proportional participation of minority communities and vulnerable groups is "sacrificed" for the sake of "cost effectiveness"

# 5. Concluding Remarks

The community forums have the advantage of raising the interests and awareness of the citizens at the local level on the importance of participating in decision-making on activities that directly affect their lives. The community forums consider the participation of women as an important issue to be addressed and also ensure the involvement of different ethnic groups. This reduces the existing ethnic biases and tensions. As they are effective instruments for enhancing citizens' participation at the local level, Community Forums promote double advantages: while enabling citizens at the local level to be part of the decision making processes, the forums also give the local authorities a better understanding of the concerns of the citizens and the opportunity to respond accordingly and improve their perceived legitimacy. To maintain these achievements enough local human and financial capacities are necessary to effectively and successfully organise community forums.

The community forums were an opportune and high quality instrument that allowed municipalities to implement constitutional and legal requirements on citizen participation. However, successful implementation with regards to pro-poor participation and decentralisation still relies very much on the existence of CSO that are able to represent or mobilise the poorer sectors of society. Also, sustaining this kind of civil society without donor support might be a challenge. Possible impacts of the community forums on voters' choice and programmematic proposals of local candidates would be a very interesting topic for further research.

# 6. Mirroring Case Study Kosovo LOGOS

An SDC funded governance project in Kosovo was asked to mirror the Macedonia case study, i.e. complement it with other lessons learnt.

**LOGOS: Swiss Kosovo Local Governance and Decentralisation Support**

**- by Pascal Fendrich**

The Swiss-Kosovo Local Governance and Decentralisation Support (LOGOS) is a local governance project financed by SDC and implemented by HELVETAS Swiss Intercooperation. In phase II LOGOS supports nine municipalities in South-Eastern Kosovo in various fields, e.g. municipal development planning, financial and fiscal management, administrative services and improved public services provisions. Good governance, the inclusion of the sub-municipal level and gender are considered transversal themes.

In order to improve the quality of the public meetings organised in its partner municipalities and inspired by the successful application of the Community Forums in Macedonia, LOGOS decided to borrow key elements of this methodology. LOGOS replicated a simplified version of the Forums and reproduced the key mechanisms and implementing structures (operative group, moderator, etc.) to improve participation in public meetings and structure discussions. Forums have been held in the

fields of budget planning and execution, strategic planning and the development of waste management plans[1].

A key feature of the forum process applied in Kosovo is that it relies on the mobilisation of citizens. As in Macedonia, LOGOS supports the creation of municipal operative groups (OG) composed of 3 to 5 persons representing either the municipality, civil society or the business community. The co-moderator is a member of the OG and coordinates its work. The role of the OG is to support partner municipalities in preparing the public meetings and in inviting citizens. It ensures that all communities and categories of the population are informed about and included in the meeting. Finally, the operative group ensures that the meeting goes smoothly. It is also responsible for the minutes and for ensuring that the conclusions reached are recorded and will be followed-up on at the next meeting. LOGOS also recruits an external facilitator to structure and facilitate discussions. This professional facilitator is expected to train the co-facilitator who normally comes from the local civil society and is built up to gradually take on the responsibilities of the facilitator and assume leadership in the facilitation of the meetings.

The application of these simple mechanisms has produced very positive results. First, it has led to a significant increase in participation. Meetings supported through this methodology made it possible to gather three to four times as many citizens as in previous meetings. Meetings are also better structured and lead to more active discussions. This in turn has contributed to changing perceptions of both citizens and municipal officials on the usefulness of public meetings. Due to the positive feedback of citizens, there is a greater interest in public consultations as they are increasingly perceived as a real opportunity to voice concerns and influence municipal policies. Similarly, the opinion of municipal officials has also changed. Municipal officials were initially suspicious when they were invited to apply this methodology. Many also believed that public meetings were a formal compulsory procedure. In the course of time they are progressively recognising the value of these types of events and even consider them as useful moments to test their plans and decide on municipal priorities.

Overall, the introduction of the Forum methodology has proved very useful for improving participation in policy-making and supporting transparency and accountability mechanisms. Thanks to its simple mechanisms, the application of the Forum methodology has given greater substance to public meetings and created proper opportunities for exchanges and debates. An additional strength of the methodology is that it can be replicated and adapted to other contexts. Despite these strengths, the sustainability of the procedures introduced by the Forum approach remains a challenge. On the one hand, the project ensures that appropriate competences are developed[2] and responsibilities localised. It further hopes that the repetition of successful meetings will promote the ownership of municipal officials and the demand of citizens for these kinds of consultations. LOGOS could go a step further and (like in Macedonia) support municipalities in institutionalising Community Forums and include the methodology in municipal statutes. Currently, LOGOS covers all the costs of the organisation of these meetings (financial compensation of the OG/Moderator, printing of documents, lunches/coffees, logistics, etc.). LOGOS also plays a central role in ensuring the neutrality of the OG / facilitator. In this respect feedback received from participants also shows that the participation of foreign organisations and donors in the organisation of public meetings gives greater credibility to the meetings and helps mobilise participants. These considerations will need to be integrated in future project activities, e.g. efforts to increase municipal leadership in the organisation of such fora and to reduce the project's visual presence at these events.

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[1] These public consultations resemble the Topical Forums described in the Macedonian case.
[2] Through practice and the development of manuals for instance.

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# DECENTRALISATION IN RURAL AREAS

## Peru: Support of Decentralisation in Rural Areas (APODER)



*During 11 years APODER supported decentralisation of services and participatory processes in 70 Peruvian rural municipalities.*

Binolia Porcel (Key Informant)
Jacques Mérat (Case Study)

Lima and Bern, August 2012

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# 1.    Background

The Program in Support of Decentralisation in Rural Areas (APODER in Spanish) was launched in 2003 by SDC and implemented by Intercooperation. Its main objective was to make a contribution to the decentralisation process with a focus on the rural areas of Peru. A first specific objective of the programme was to improve the administrative capacity of regional governments and municipalities, particularly regarding participatory processes and transparency. The rationale behind this was that participatory processes would bring opportunities to marginalised social groups, particularly women. The programme aimed at strengthening participation through public consultations of municipal strategic development plans, participatory budgeting (budgeting by results), and using consultation spaces for territorial economic development at the regional level. A second specific objective was to promote territorial economic development, using the associations of municipalities as entry point. A third specific objective was to reinforce the linkages between the different levels of government and to strengthen the capacity of rural local governments to advocate for their interests.

The programme went through three different phases, i.e. adjustment of the design together with partners (2003 - 2004), then implementation (2004 - 2008) and finally consolidation and closure (2008 – 2011). It was embedded well within the national decentralisation process launched in 2002 in Peru with the adoption of the Law on Municipalities and the Law on Participatory Budgeting. The former transferred new competencies regarding service delivery to local governments.

Partners were the Secretariat for Decentralisation of the Presidency of the Council of Ministers[1], the National Assembly of Regional Governments[2], the Network of Peruvian Rural Municipalities, three Regional Governments, five Regional Associations of Municipalities, some Communities of Municipalities ("Mancomunidades") and seventy municipalities. Partners were selected according to their legal or strategic role in decentralisation. At the local level, civil society organisations were included in order to stimulate and strengthen the demand side for decentralisation. Municipalities and their different associations played a central role in implementing the tools promoted by the programme.

# 2.    Context and Power Analysis

**Sources of Tensions, Stress and Opportunities**

National politics had a detrimental effect on the decentralisation policy during the eight-year duration of the programme, with three different national governments bringing significant policy and institutional changes. Shortly after the programme started, the National Council for Decentralisation [3] was replaced by the centrally-driven Secretariat for Decentralisation of the Presidency of the Council of Ministers. This meant that fiscal decentralisation did not go as far as expected and as a consequence, legal competences decentralised by the Organic Law on Municipalities remained significantly under-funded. Also, no capacity building policy was drafted to increase the capacities at the lower tiers of government. Moreover, there was high staff turn-over both at the regional and municipal levels, due to the absence of a law for a career civil service at decentralised level that could have provided greater stability of personnel.

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[1] The President of the Council of Ministers is the spokesperson of the President of Peru, coordinates the duties of all ministers, countersigns decrees issued by the legislative assembly and the government. The President of the Council of Ministers is appointed and removed by the President of Peru.
[2] This assembly is an association created by the regional governments of Peru to promote decentralisation.
[3] This government body established in 2003 included in its board representatives of the regional governments and the municipalities besides representatives of the national government. It had the important competence to conduct the process of transfer of legal competences and resources to the lower levels and to administer international grants.

With regard to citizen's participation, the decisions taken in established spaces – the Councils for Participation at both local and regional levels – are not binding for the government. Furthermore, the citizens bear the costs of participation (e.g. transportation costs), which limits the participation of the poorest groups of society and gives a de facto advantage to those with more financial capacities, such as NGOs and other formalised civil society organisations.

Despite these limitations, the existence of spaces for participation made it possible to introduce as binding procedures participatory strategic planning and budgeting, as well as social audits. Also, the transfer of legal competencies to local governments has laid the basis for greater and more meaningful participation and accountability. Even though the expected targets were not reached, the amount of fiscal resources managed at the local and regional levels has also increased. With decentralisation reforms, the role of a local government has shifted from that of an operator of public services with very little autonomy and provider of marginal infrastructure to that of a promoter of local development processes. Previous country-wide experiences with citizen's participation contributed to the functioning of the new participatory institutions, e.g. the population was very eager to claim more transparency after the disclosure of the shocking corruption cases of the Fujimori government in the late nineties.

**Effectiveness of Local Government Structures**

The two main local government structures in Peru are the mayor and the municipal council. Both share the responsibility for the planning and management of financial resources transferred by the national government. However, technical capacities to properly manage these resources remain weak. There are two additional layers of government between municipalities and the national level: provincial and regional. In certain cases the separation of competencies between them is not clear, which can cause conflicts of authority and provide authorities with a welcome excuse when they do not meet their responsibilities. The control on financial management is in the hands of the Republican Audit Office while the Ministry of Finances is responsible for organising administrative and budgetary systems.

Different grassroots organisations exist, e.g. mothers' associations, producers' organisations, neighbourhood organisations. In general they lack well-developed organisational skills and technical capacities to develop project proposals. The administrations of line ministries are also present at the local level. Their role is to coordinate the latter's actions with local governments but they often act unilaterally, implementing parallel actions and creating further confusions around authority in similar intervention areas. Public service delivery is supposed to be universal but financial limitations imply continued limited access. Compared with access levels of urban zones, communities living in the highlands and the Amazon Basin are discriminated. The general rule is: the more remote the communities are, the lower is their access to services. According to the programme, the overall response capacity of the government in terms of delivering services to realise the rights of citizens is still estimated to be average to low according the programme appreciation.

The main services provided by municipalities in rural area are related to drinking water, sanitation, electrification, street cleaning, rural roads construction and maintenance, civil registry and protection of children against domestic violence. Increase in coverage has mostly happened during the last years for drinking water and electrification. Civil registration has a very good outreach too. Sanitation, street cleaning and protection against domestic violence remain services where the delivery of services is mostly limited to urban centres. Despite their importance for development, the construction of rural roads and maintenance services do not meet expectations.

**Legitimacy**

The closeness of municipalities to citizens has brought the latter opportunities to claim compliance with their rights, influence the allocation of public expenditures, and the opportunity to monitor the implementation of budgets. It was observed that women participate more than men but are less represented in political bodies. In general, municipalities are recognised by rural communities as legitimate sources of authority, even though the lack of services in remote areas may limit this to some degree. The legitimacy of municipalities sometimes is also questioned when they align too

quickly with the interests of firms present in their territory and without taking into account the concerns of the local population.

**Authority**

Peruvian municipalities are generally able to coordinate and integrate the actions of the different actors in their territory, even though conflicts over natural resources sometimes are not mediated sufficiently. Conflicts over the exploitation of natural resources are the main source of social conflict and a main cause of restrictions to civil liberties, especially when the latter lead to a confrontation of interests between communities and the national government. The government has the monopoly of force over the national territory, except in some remote areas where the Shining Path and drug smugglers frequently question this authority by confronting the police and the military. The fact that the different levels of government do not always act in a coordinated way hinders the establishment of an effective state authority.

# 3. Participation/ Accountability Mechanism(s)

**Participation Spaces**

The main task of the programme was to assist municipal governments in organising citizens participation and in holding social audits. The programme also supported the demand side, i.e. civil society, by strengthening their organisational capacities and knowledge of their rights. Specific actions targeted at women were also implemented. There was no need to open up "closed" spaces as such, but rather to make existing spaces work better through addressing issues both at the demand and supply side.

There seem to be tension in rural Peru between economically powerful groups and farmer communities. This is based on the understanding that when wealthier groups hold political positions, they strongly influence policies towards their private interests. Tensions inevitably emerge as those in the opposition, would like to have their interests better served. For example, in order to facilitate their interventions, large mining companies tried to place their representatives in local political positions. Despite this, farmer communities were able to elect their own candidates to local political positions in the last years. Formally, all social groups can interact with local governments through participation spaces established by law. In reality, however, economically strong social groups are more present. One of the reasons being that participation has a cost (e.g. time, transportation) and consequently it is more easy for wealthier groups to participate. If there are competing demands, the demands of the latter groups also seem to be considered more than those of poorer groups. Also, more educated people can formulate their demands better. However, the voice of leaders of poorer groups is heard, if they are well-connected with politicians and able to exert pressure on the government through social protest. Final decisions on the allocation of public expenditures are made by elected local authorities and professional staff working with them (e.g. advisors, managers). The latter have significant influence.

On the demand side, the programme aimed at strengthening civil society organisations representing poorer social groups. This was achieved by a multi-pronged strategy, i.e. building leadership capacities and assisting the organisations in getting legal recognition, formulating action plans, introducing management tools and helping them to design project proposals to be integrated in municipal plans and budgets.

**Forms of Power**

Authorities from the local to the central level and political parties are visible powers. In particular, the Ministry of Finance as well as the Commission on Decentralisation of the Republican Congress are important powers. Hidden powers who influence the visible bodies, are located within powerful economic groups, the media and advisors (economic and political). They are invisible to the extent that their influence is not exerted in an open and transparent way. The programme considered the opening up of institutionalised spaces for participation by the decentralisation reforms as the most

effective available instrument to enable the poor to influence visible forms of power. The programme showed that opportunities to participate in auditing budget implementation is as crucial as having opportunities to participate in planning and budgeting. Even though the traditional invisible power groups showed some resistance to the newly created spaces for participation, they were not able to prevent people from claiming newly created spaces.

Regarding invisible powers, there is a clear discrimination of women in politics. Out of the 1'834 mayors only 69 are women and no regional Presidency is held by a woman. One explaining factor is that especially in rural areas, women have less access to education and professional training than men. Poverty in Peru is often associated with being a woman and living in a rural area. Consequently, this invisible power has consequences and outcomes for visible power.

**Transforming Power Relations?**

It is not easy to make a statement on the degree to which the programme managed to transform power relations. There is a certain number of grassroots civil society organisations that are now better organised and prepared to participate in policy dialogue. Another outcome is that 70 municipalities have provided opportunities for participation, which resulted in a fairer allocation of public financial resources. Accounts on the use of public money have also been rendered to citizens, which is a significant transformational experience from the point of view of power relations. Nevertheless, the ambitions of dominant economic and political groups to monopolise decision-making remain alive with entrenched and recurrent resistances to participation, transparency and accountability in policy processes.

The strength of the programme is that it based its participation strategy on legal procedures and hereby contributed to the implementation of Peruvian law. This provided legitimacy and allowed the mobilisation of government entities at various levels. It also made it easier for the programme to make recommendations to the Ministry of Finance on how to adapt official guidelines on participatory budgeting on the basis of the lessons learnt through its concrete and longstanding practice.

**Inclusiveness of Civil Society Participation**

The participatory procedures that were best received by local governments and civil society were participatory budgeting and social audits. Other spaces like the Regional Coordination Councils were met with less enthusiasm. Nevertheless, difficulties were encountered while introducing participatory budgeting and social audits. In addition to the elite's resistance to transparency, the programme also encountered a simple lack of capacity of officials to communicate with the population (e.g. social competency and leadership skills).

Another limitation was that the access to participation spaces was reserved for legally established civil society organisations. While this legal provision was perhaps designed to limit excessive presence of single individuals and promote a better organised civil society, the programme considered it as an unfair restriction to participation. In order to enable inclusive participation, the programme together with 70 partner municipalities organised village and urban district level participatory workshops on the municipal budget which were open to all citizens. The practice was later consolidated, thanks to the adoption of municipal acts, regulating budget consultation at this community level. However, the increasing levels of participation caused a severe fragmentation of municipal budgets, since every single community wanted to get its fair share. Municipalities were put in a situation where it was difficult to design a programme with strategic value for the whole territory. Consequently, the procedure for community workshops had to be adapted, and an event dedicated to discussing overall municipal strategic priorities was introduced. The municipality then reminded the community about these strategic priorities at the end the workshops and when all proposals were ranked by priority.

Communities also prioritised projects that normally are not the responsibility of the state, e.g. to fix the village chapel. A whole range of micro-projects, allowing an increase in the production capacity of individuals also arose. The programme had to adapt its workshop modalities, so that eligible projects that were also in line with the legal competencies of municipalities and included shared

benefits for the community as a whole were chosen. In this context, the programme became very aware that preventing the fragmentation and individualisation of benefits and finding funds for demanded activities falling outside municipal legal competencies, had to be assumed by municipal officers and not by programme officers. This was key to avoid the substitution of municipal authorities and responsibilities by the programme. An intensive training of municipal officers was required to ensure they understood the consultation methodology and the expected outcomes.

It cannot be stressed enough how difficult it is to cover the costs of a inclusive participation. Unless the Peruvian government decides to allocate important resources for participation, the transportation costs and the time required to participate in policy-making will continue to constitute a barrier for poor people. Investing in participation, might also be seen as an avenue for patronage and populism, providing an opportunity to mobilise and reward partisan followers.

**Accountability**

A precondition for social accountability events, i.e. open municipal assemblies scrutinising the implementation of municipal budgets, is that citizen have access to potentially sensitive public information. Administrations were not used to communicate such detailed accounts in the past. Therefore, the programme focused on creating well-functioning social accountability assemblies. To achieve this, both the supply-side and the demand-side were addressed. The capacity of municipalities to plan participatory processes and to respond to demands through projects was strengthened. Similarly, the capacity of grassroots organisations to formulate demands and follow up both budget and project implementation was strengthened. The programme did not promote the holding of other types of meetings that would have focused for example on scrutinising exclusively and in all details single public services. It also did not promote or support accountability mechanisms such as legal actions against the administration, supporting the judiciary or strengthening capacities of the media.

**Advocacy and Policy Influencing**

The set-up of the programme itself implied an influence on policy as the initial agreement with national and regional partners was that the new laws on decentralisation would be implemented with the assistance of the programme. Methodological guidelines provided by the Ministry of Finance regarding participatory budgeting were adapted with inputs from the programme. Policy influence on local institutions was achieved through the very significant changes that were brought about, i.e. the implementation of participatory procedures. It was very rewarding for the programme that municipal and regional authorities showed a great interest in implementing these participatory mechanisms. However, it is true that the concrete outcomes of participation mostly occurred at the municipal level, with very significant changes in municipal investments portfolios and the adoption of municipal regulations.

Parallel to the implementation agreement with national and regional authorities, the programme also supported the Network of Peruvian Rural Municipalities – a private association gathering representatives of local authorities which has a professional secretariat in the capital city. Thanks to the support of the programme and that of other international donors, an independent monitoring of the transfer of fiscal resources to local governments was held and a permanent dialogue with national executive and legislative authorities was ensured. The programme did not provide any other kind of support to civil society organisations for advocacy at regional and national levels. Very few civil society organisations are present at that level. This reflects a certain fragmentation of society as and how few opportunities there are for dialogue between the state and civil society at regional and national levels. The advocacy capacity of the association of Peruvian rural municipalities was limited by the absence of any official mandate given to it by legislation. However, thanks to the contribution of the programme, the association managed to get recognised as a legitimate and important actor by national authorities.

The support of the programme to women as a discriminated social group was very explicit and with focused monitoring. For example a guiding manual to design local policies with a gender perspective was provided, women civil society organisations were supported with capacity building and the

participation of at least 40% of women in all training sessions was defined as a standard requirement. The log frame of the programme also included indicators to monitor achievements regarding the inclusion of women.

# 4.    Analysis and Main Lessons Learnt

A very positive lesson learnt by the programme was that participation and transparency matter and reach tangible outcomes. Better decisions are taken and actions are more effective. It is worth highlighting that participation was not implemented against the will of municipal authorities. On the contrary, participatory processes clearly increased their legitimacy, both towards the population and higher level authorities. Participation and transparency also reduced political conflicts at the local level and improved relationships between socio-political leaders of the opposition and the ruling political group.

When the programme ended, participation and transparency were institutionalised by 64 municipalities and two regional governments – showing concrete benefits in terms of developmental outcomes, mainly at the municipal level. Also, 1'200 community leaders were trained to participate in planning, implementation and social audit processes. Civil society was supported and strengthened in the areas of working with values, achieving legal recognition, in management issues and mechanisms to promote greater participation of women and youth.

Several challenges remain. Frequent political and institutional changes within the national authority in charge of implementing the decentralisation policy have been a limiting factor. Uncertainties still exist regarding the replication of the programme across the whole country and the continuation of methodological and technical assistance in the former partner municipalities. The programme has learnt that an effective way of influencing central authorities is to work with associations of municipalities as well as with regional authorities. However, at the local level, changes in executive and legislative powers could have a negative impact in the future on the continuation of the participatory processes promoted by the programme. The risk is high, as most municipal officers do not remain in office for long. Also, the costs of participation remain an obstacle to inclusive participation.

If the programme were to be restarted now, more effort would have to be put into linking planning and implementation processes of the three tiers of government. Capacity building of grassroots organisation would also be emphasised even more and with an even stronger focus on women and youth. Also, the programme received many demands for support in increasing household incomes. Using specific negotiations spaces with key private sector actors within the frame of territorial regional strategic planning processes is seen as a promising way to respond more effectively to these demands in the future.

# 5.    Concluding Remarks

The timing and the design of the programme were both very good: the programme began just after important decentralisation legal reforms had been adopted and it chose to support the legal mechanisms for participation mandated by law together with the institutions responsible for implementing them.

The programme had concrete influence on power relations, i.e. choices for municipal investment were made with a greater consideration of the needs of poorer social groups. Dominant local economic groups had less opportunities to capture policy-making to serve their private interests at local level. By supporting associations of local governments, the programme was able to advocate for decentralisation at the national level with some success. Intensive capacity-building for grassroots organisations was very important to open opportunities for effective inclusive participation.

However, at national level, very profitable agreements between large mining companies and national governments have probably not been a consolidating factor for decentralisation until now. In several instances, the national government has enforced these agreements against the interests and concerns of local communities. Thus the struggle remains between the interests of large private companies and those of local communities, i.e. hampering progress in decentralisation and participation.

# 6.    References

APODER, 2011, Presupuesto participativo y rendicion de cuentas. Dos buenas practicas de gestion publicy municipal, APODER y HELVETAS Swiss Intercooperation

**dlgn**

Decentralization and Local Governance Network

# SOCIAL ACCOUNTABILITY MONITORING

## Tanzania: Social Accountability Monitoring (SAM)



Manyara civic actors analysing Kiteto and Babati districts' strategic planning and resource allocation processes under the mentorship of Policy Forum

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Zurich, September 2012

**HELVETAS**
Swiss Intercooperation

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# List of Abbreviations

| | |
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| CSA | Centre of Social Accountability |
| CSO | Civil Society Organisation |
| LG | Local Government |
| PETS | Public Expenditure Tracking Survey |
| PF | Policy Forum |
| PSAM | Public Service Accountability Monitor |
| SAM | Social Accountability Monitoring |

# 1. Background

In Tanzania, SDC implements a broad social accountability programme, aimed at improving the use of public resources and ensuring a more equitable access to quality social services through mainstreaming social accountability in SDC's health, agriculture and governance projects. This case study concentrates on one of its components: the **Social Accountability Monitoring (SAM)**, more specifically on the experience of members of the Tanzanian Policy Forum (PF) – a network of around 100 Civil Society Organisations (CSOs) working in the area of advocacy. Within the examined project, the Tanzanian Policy Forum has two mandates: 1) to apply the SAM tools at national level, including policy analysis, planning and resource allocation analysis, expenditure tracking, etc. 2) to provide SAM training for its members with support of the Public Service Accountability Monitor (PSAM), formerly known as the Centre for Social Accountability (CSA) of the Rhodes University in Grahamstown, South Africa. To fulfil these objectives, the PSAM initiated a regional learning programme for the Tanzania Policy Forum to assist their members and partners to adapt SAM tools to the Tanzanian public resources management context. Additionally, the PF is responsible for evidence-based advocacy on social accountability. The PSAM and the Policy Forum worked through a partnership approach between 2009 and March 2012. (SDC Credit Proposal, 2011)

It is important to note that **SDC South Africa** has been working in partnership with PSAM since 2006 on initiatives in Mozambique, South Africa, Tanzania, Zambia and Malawi. Within this programme in-country support like in Tanzania has been provided. The programme has also supported the Fundamentals Course on Social Accountability in South Africa.

The PSAM argues that **accountability is a human right**[1], defined as the right to obtain justifications and explanations for the way in which public resources are managed, and how these resources serve to progressively realise people's human rights (CSA, 2007). Therefore, accountability is the **right to obtain justifications and explanations** for: 1) the use of public resources from those entrusted with the responsibility for their management (applicable both to government officials and private service providers), and 2) the performance of officials and service providers in progressively realising the human rights of those they serve. In order to claim these rights, civic actors have to become more actively involved in governance and accountability processes. At the same time, the capacity of state officials to supply accountable public services needs to be matched with the demand. In line with this, officials and service providers have a **duty to provide justifications** regarding their performance and take corrective action in instances where public resources have not been used effectively to realise human rights.

# 2. Context and Power Analysis

During the first 30 years after having gained independence, Tanzania was governed through a single-party system and the ruling party dominated national politics. The political environment was very restrictive and made it virtually impossible for civil society to organise itself. Only in the mid 1990s major changes were initiated with the introduction of a multi-party system. The first election took place in 1995. Emergent civic groups started to put pressure on the government to expand the civic space for citizen participation in debates on socio-politics and national development policy.

**Effectiveness:** The local government reform policy aims at decentralisation by devolution, i.e. transferring financial, political and administrative decision-making from central to local government levels. Tanzania hereby also adopted the principle of subsidiarity, which means that the lowest possible level of government must exercise public service responsibilities. Major steps have been

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[1] Contrarily, the Human Rights Based Approach defines accountability not as a human right itself, but as an underlying principle to realise human rights by empowering right holders to claim their rights and duty-bearers to fulfil their duties. Also the Human Rights Framework does not include accountability as a human right.

taken in the area of fiscal decentralisation in Tanzania, however some directives are given by the central government that still require Local Governments (LGs) to use central government grant funds for other purposes than planned. In sum, although the current legislation[2] assigns far reaching functions to LGs, in practice they still strongly depend on the central level and hardly take action independently. This is compounded by the rather weak revenue base of local governments, despite an amendment to the Local Government Finance Act, which allows them to give licenses for various trades.

Tanzania's legislation[3] encourages participatory planning and budgeting at local levels. Priorities for local development are brought to the village council and compiled at district level in the Full Council. Councils are also supposed to hold regular public hearings. However, these spaces for civil society and citizens to participate are only provided occasionally, depending on the willingness and commitment of the local government. Furthermore, the equitable distribution of the scarce resources (funds, human resources), and the quality of social services and access to them are major challenges.

Despite the formal existence of checks and balances, the role of the legislative power is rather weak at all levels (especially when compared to the strong executive branch). Power is still highly concentrated with an elite, which often derives its influence from the executive and the ruling political party. The business community is close to the party leaders and has considerable influence on the exercise of power in Tanzania. Also, the judiciary system at lower level suffers from a serious lack of integrity.

**Legitimacy**: A quite comprehensive legislative and regulatory framework requires participatory planning and budgeting processes, particularly at the local level. Also, public resource management information must be made available to the public. However, implementation remains limited due to a lack of capacities of the supply side and a limited awareness of the citizens of their rights. Other reasons are the limited management capacities of the local governments and a lack of downward accountability. Local governments feel more accountable towards the national government than towards the people they are meant to serve. This limits the legitimacy of local governments substantially.

CSOs nowadays are an important part of the Tanzanian society. They play an increasing role in facilitating mechanisms for citizen to hold the government to account, respect human rights and improve the delivery of social services. However, both the media and civil society have at times been deterred and intimidated by the government when exposing corruption, mismanagement and expressing opinions that weren't in line with what the government wanted to hear. Strategies to improve service delivery and to increase popular acceptance of the authorities on the ground go along with improved accountability. They are also needed to achieve more equity and equality as a whole. Women in particular are affected by poverty. In Tanzania women tend to be marginalised in economic activities as they face substantially higher constraints in their ability to access resources.

**Authority**: Tanzania has a history of peaceful development since independence. The State has the monopoly of force throughout its territory. However, protests are recurrent in some regions such as Zanzibar or the Northern part of Tanzania (however, these areas are not considered as fragile by SDC).

**Power analysis**: In the last ten years the main focus of development partners in Tanzania has been on supply side reforms and improving management systems with the aim of building a more effective state (without paying special attention to accountability). However, recent developments have shown that social accountability mechanisms can complement and enhance conventional internal (government) mechanisms of accountability, address power imbalances, and lead to better service delivery. The following exemplary evidence illustrates the prevailing power issues in Tanzania. Although participatory planning and budgeting at local level is a legal requirement, priorities of the

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[2] Regional Administration Act (1997), Local Government Laws (Miscellaneous Amendments) Act (1999), Local Government Finance Act (1992), and their amendments
[3] Local Government (District Authorities) Act (1982) and its amendments

people fail to be included in the aggregated plans at district and national level. Other interests prevailing at higher levels and not overtly discussed are often included in plans (hidden power). Also, the tradition of a strong centralised executive government often forces local authorities to follow announcements of the Prime Minister (invisible power), e.g. to build dispensaries in every ward even though this might not be needed in certain wards due to proximity to others. There are also regulations that jeopardise the implementation of elaborated plans, such as the monthly cash management system introduced by the government in 1996 to curb overspending. This system makes planning difficult, especially since it is not foreseeable what amount is received. Hence, councils tend to allocate resources as they are disbursed, based on instructions from central government. Furthermore, the power of Parliament (as well as village councils) as an oversight body is limited. It does not have the power to amend the budget or reallocate funds. Although the Parliament can refuse to adopt the budget presented by the executive, the consequences of this step are profound: the President has the constitutional power to dissolve Parliament in response. However, currently, the Parliament is increasingly playing a more active role and the President has so far not reacted strongly. In a nutshell, the system foresees a rather weak role for the legislative branch, with most of the powers held by the Executive. For instance, the government often prefers to provide quarterly performance reports to the development partners and not to the Parliament.

The Tanzanian government has initiated a regular Public Expenditure Tracking Survey (PETS) process carried out by civil society. However, the process is criticised for having a weak link with the final budget and there are no follow up mechanisms in place towards increasing the quality of service delivery. Hence, CSOs have to work towards opening up and claiming new spaces rather remain participants in invited spaces. This is particularly important and comparatively easier at local level. For example, Mwanza Policy Initiative, a partner of the Policy Forum, supported the Fishers Union Organisation to claim their rights and be included in the participatory planning and budgeting process.

## 3.     Mechanisms of Social Accountability Monitoring in Tanzania

As described above, the legislation in Tanzania foresees PETS. However, due to certain limitations, this space is not sufficient to achieve better service delivery. Consequently, the Policy Forum together with PSAM decided to introduce the SAM approach. This methodology does not only aim at monitoring service delivery of local governments, but also at following up on the monitoring results and ultimately improving the quality of delivered services. Also, it claims to involve citizens in a more active way than PETS. The SAM initiative in Tanzania started at local level with the network of the Policy Forum using social accountability tools. Advocacy and policy influencing interventions were initiated in a second step, once certain successes from local level could be demonstrated.

### Local SAM Initiative

At local level, the PF together with PSAM enters into long-term partnerships with competitively selected[4] member organisations of PF. Due to an immense interest, two, instead of the initially planned one, member organisations are selected every year. The selected organisations are supported and trained in establishing their own social accountability monitoring programme in order to better monitor the local government in performing its role. In the first step of the partnership, an **orientation training** introduces the PSAM methodology using the 5 processes of public resource

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[4] The partners are chosen democratically through a competitive selection process in which a call for proposals is sent out by the Policy Forum Secretariat and interested member organisations submit applications. The final decision is made by the Policy Forum members at the Annual General Meeting, based on a set of criteria developed by the PF Secretariat and approved by its members.

management[5], i.e. 1) resource allocation and strategic planning; 2) expenditure management; 3) performance management; 4) public integrity management; and 5) oversight.
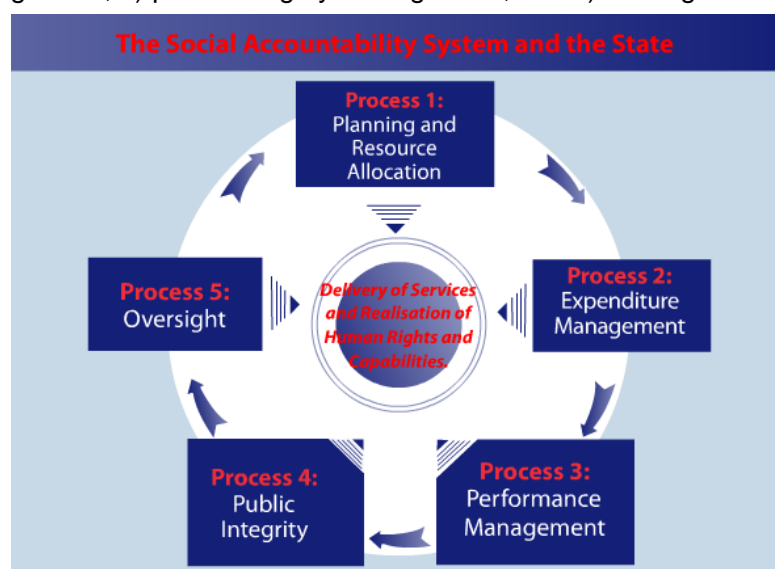


SAM Methodology (Source: PSAM)

In-depth trainings on these processes are highly relevant since local organisations often do not have sufficient knowledge about when decisions are made, which processes lead to decision-making and how they can hold local governments to account. The training enhances knowledge of public resource management processes, areas of responsibility within the government, the entitlements of citizens, and what actions civic actors can undertake in order to ensure participatory and responsive local governments. It enables the organisations to ask the right questions to the right people at the right time. Evidence from member organisations shows that they are better at analysing government documentation and use the evidence to question authorities. Also the authorities realised that they are now dealing with more informed and self-conscious citizens and in many cases adjusted their behaviour in a positive way, by being more responsive to their request.

Secondly, so called **accountability assessments** are carried out through information collection, analysing and synthesising findings based on the social accountability monitoring scorecard. Although information collection is challenging due to restricted public availability, low quality and comprehensibility of the necessary documents, evidence-based interventions are key for credibility and success. Also, local organisations often find it difficult to analyse the gathered information. After the training, capacity to analyse the documentation in a professional manner is still modest and continuous support from the PF is still needed for a certain period of time.

Subsequently, findings are **widely disseminated through public meetings** to a broad group of stakeholders, including community members, civic actors, councillors, local government officials, the political head of local government and the media. Depending on the reaction of the local government officials, the partner organisation is responsible for **follow-up advocacy** in order to campaign for long-term changes. A wide sharing of findings and the use of media, has proven to be an important success factor for all member organisations. Experience showed that the responsible local government officials only dealt with the complaints when a certain public pressure emerged. On the other hand, there were backlashes from public officials and politicians when identified weaknesses in local governance were disseminated. They addressed this by incorporating a so-called verification stage before dissemination, where local officials are given an opportunity to comment on the findings and to make any necessary changes. With this measure, the situations could be de-escalated.

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[5] For more information on the SAM methodology see the interactive model on
http://www.psam.org.za/page.php?pid=13

In conclusion, the implementation of SAM has triggered a certain behavioural change of citizens in the "SAM areas". They have witnessed that active citizenship and demanding their rights actually leads to changes in their every day lives. However, due to the complexity of the issue, especially when it comes to written information, the PSAM approach requires organisations with certain capacities to be involved. Also, on the other hand, authorities have found new respect for their citizens as a result of their assertiveness in claiming their rights and by using evidence to support their demands.

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***Example: The Fishers Union Organisation (FUO) of Mwanza claims its rights***

In September 2008, the Mwanza City Council announced that the fish market levy would be increased by 100% with immediate effect. The FUO did not perceive this tax increase as fair, since the fishermen are already heavily taxed and many maintenance issues at the fish-market had not been carried out, although they were claimed various times from the local authorities. Based on this, the Mwanza Policy Initiative, a member of PF, started a 3-month process of collecting relevant information such as Annual Plans and Budgets, Strategic Plans and Audit Reports. In-depth analysis of these documents revealed that the levies and taxes from the fish market contribute 3[6]-16[7]% of the budget. However, despite this substantial contribution, the FUO was excluded from the city council's participatory planning and budgeting process[8]. The government authorities explained that the education level of fishermen would not allow for participation. Additionally, the analysis discovered that – despite promises – there were no budget allocations to rehabilitate the poor water and sanitation infrastructure at the fish market, which was the source of serious health risks. Instead, there were substantial amounts foreseen for the renovation of the Council's Treasurer Office. Moreover, inefficient and ineffective outsourcing of tax collection was revealed. Based on these findings, a broad campaign was launched, including a public hearing with government officials and the citizens. Nevertheless, the council initially rejected to negotiate with the FUO. Subsequently, the FUO organised a civil disobedience action and refused to pay any taxes until the council would meet with them. In December 2008, negotiations finally took place and it was agreed to retain the levy at its original level. Also, FUO was included in the list of invitees for planning exercises and a budget was allocated to rehabilitate the fish market.

The analysis also brought to light the limitations with the private revenue collectors. Apart from having only a limited number of potential bidders, the contracts did not safeguard the interests of the councils. These findings were subject to considerable debate in the Local Authorities Accounts Committee of the Parliament and contributed to a restructuring of the Cabinet and the resignation of several Ministers.

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**National SAM initiative**

While the member organisation is responsible for advocacy at the local level, the Policy Forum links the local level findings to national level advocacy and policy influencing. Consequently, systemic public resources management weaknesses are monitored. Also, the PF is responsible for working towards an enabling environment for social accountability monitoring. Due to the public dissemination of findings, the national authorities became aware of and interested in the SAM initiative. In order to de-escalate potential conflicts that arose because local governments were challenged, the PF initiated discussions with the Prime Minister's Office Regional Administration and Local Government (PMO-RALG) and the Association of Local Authorities in order to increase understanding of SAM and start a constructive collaboration with authorities at the national level. Subsequently, different national government offices invited the PF to share their experiences and raise awareness on the PSAM approach. This was appreciated and led to a circular to the LGs to remind them of their obligation to release information according to the existing statutes.

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[6] Total budget includes grants from central government and donors.
[7] Total budget includes only the revenues collected by the Mwanza City Council
[8] These processes are open for participation of civic actors, but only upon invitation from the City Council

# 4.     Analysis and Main Lessons Learnt

Tanzania has decentralised its government structure and has put in place a fairly comprehensive legal framework for governments at local level. Nevertheless, trust in these institutions is limited among the people, since many mechanisms are either not implemented at all or only in a superficial way so that they do not function properly. Although the regulatory framework provides a legal basis, ordinary people and local civil society organisations face great challenges in accessing and processing relevant information. Furthermore, the PETS process promoted by the Government was not perceived as sufficient to increase the quality of service delivery. PSAM offers a comprehensive set of SAM tools that goes beyond budget tracking, in a sense that it includes civil society in a systematic way, and is not limited to monitoring only, but aims at including enforcement measures.

These contextual facts led to the choice of an accountability intervention as PSAM and PF believe that only transparent and accountable processes are able to increase trust of the people in local government. Due to the complexity of public resources management, local CSOs need to be continuously coached and accompanied at the beginning of such a process. This support is provided by PF. However, such tools require a **certain level of capacities** from the local CSOs. In terms of education level, PF set those prerequisites for Tanzania at Form 4, which corresponds to O-Levels in the Anglo-Saxon system. Hence, SAM tools can not easily be applied by anoyne: an ordinary citizen will not be able to carry out such an analysis and even local organisations might face constraints. This could bear the risk of creating a new elite. However, in order to advocate successfully for better service delivery, an **in-depth understanding of the system and the processes is essential**. Only sound evidence and well-argued positions are credible and will convince government officials to listen, react and eventually change the public resource management systems. This demonstrates that not only informal ways of influencing like relationships and monetary power lead to changes in the end.

The Policy Forum analysed the public resource management of Tanzania along the 5 SAM processes and identified various invited spaces. When invited spaces were insufficient, e.g. the PETS, the PF does not completely withdraw from them, but contributes towards the improvement of those spaces. In some cases, specific groups were excluded and needed support to claim their right to participate in decision-making, such as in the already cited example of the Fishers Union Organisation.

The PF is also claiming spaces for participation at national level through evidence-based advocacy and is now invited to various consultations at all levels which have led to systemic changes. **It is crucial to become involved at national level**, since engaging government at local level cannot solve all service delivery problems. Many problems are systemic and span across multiple levels of government. Hence, the project started by intervening at local level and shared those experiences by advocating and lobbying at national level.

Access to information is a major challenge in the project although Tanzania has a regulatory basis for demanding information, but no Right to Information Act. The problem is that the legal, regulatory and normative provisions for accessing information relevant to SAM are not available in a central document, i.e. it is necessary to search for it across a number of laws, regulations, directives, instructions and guidelines to identify a relevant clause. The average citizens or even the average CSO cannot be expected to have the capacities for this. Thus, many accountability stakeholders are advocating for a comprehensive Right to Information Act. However, even in countries where such legislation exists, e.g. Malawi or South Africa, civil society actors still face similar constraints. Hence, not disseminating information could be considered invisible power. Perhaps it is even more important to promote changes towards achieving an institutional culture of sharing information. For information to be relevant, it must exist in a form that is complete, rigorous, timely and in a language that is accessible to its audience. Hence, it is more than just the laws, but the environment that would be required to make such legislation meaningful.

Social accountability monitoring initiatives are only sustainable when initial attempts thrive and really have an impact on people's lives. The Policy Forum shares a few examples where SAM was successful and people immediately felt the changes in their everyday lives, e.g. dispensaries were staffed and became functional, or a new and more hygienic abattoir was built as promised. A crucial success factor is broad publication in the media. This prompts the public to react and pressure government to take action. Such action can even include civil disobedience, such as when the Fishers Union Organisation refused to pay taxes when the government was not willing to even listen to them. This visibility has forced officials to release information or interact with certain groups when they were previously unwilling to do so. And it has enabled civic actors to question their leaders when they previously did not believe they had the mandate to do so. Those successful CSOs and the citizens have become more vocal in demanding their rights, and government officials have adapted a more responsive attitude. This demonstrates that without demand, there is no supply. If information is not requested from government departments on an on-going basis, there are no incentives for these institutions to improve the quality of those reports.

A suddenly empowered civil society questioning the local governments more strongly also bears the potential for conflicts. As already outlined, usually government institutions are not used to receiving complaints and do not know how to handle them in a professional and responsive way and thus become defensive. The project learnt that such an intervention cannot work if only civil society is involved, but must include government officials as well, in order to avoid or mitigate conflicts. Hence the Policy Forum adjusted its approach and included them in the trainings and thereby raised awareness on the SAM issues. Once the officials at both local and national level understood the mechanisms, they were more open to collaborating and finding solutions. Therefore, it is important to work on both sides of the equation, including both demand and supply.

## 5.   Concluding Remarks

In Tanzania, the executive branch of the government is very strong, since the President has the power to dissolve the Parliament. Although the legal framework gives the Parliament oversight functions, the latter fulfils this function only in a limited way due to fear of being dissolved and because the majority of parliamentarians are members of the ruling party (formerly the only party). This fact makes social accountability monitoring all the more important. However, the case study also reveals that SAM is demanding and a certain level of organisational and intellectual capacity is a prerequisite to engage in SAM. The PETS process was criticised for not being very inclusive, but SAM can also not be conducted by ordinary citizens or by a local organisation. Yet with an investment in capacity building and continued follow up support, local CSOs can be very effective in applying SAM tools and pressurising local and national governments for effective service delivery. However, the government has not yet bought into SAM and seeks more clarification on why SAM is preferred over PETS. Broad publicity by using media or public hearings has proven to be a key success factor. It is important to be aware that increased accountability can lead to conflicts between citizens and local government authorities. Such issues cannot be ignored and have to be addressed immediately. The SAM mitigated this by introducing an additional step, where local authorities are given the chance to comment on the findings. In conclusion, the implementation of SAM has triggered a certain behavioural change of citizens and government officers alike. They have witnessed that active citizenship and demanding their rights actually leads to changes in their daily lives. Citizens demanding for social accountability pressurises the government to be responsive and improve service delivery.

# 6. Mirroring Case Study: Macedonia *Civica Mobilitas*

The SDC programme *Civica Mobilitas* from Macedonia was asked to mirror the Tanzanian case and feed in its own learnings and experiences. Macedonia is quite a new democracy (since 1991) and the current decentralisation process started in 2005 as an important part of the agreement following the end of the inter-ethnic conflict. In order to support the very dynamic process of decentralisation it was decided that a combination of activities would be more appropriate. The Civica Mobilitas programme is similar to the Policy Forum Programme which supports local authorities in participatory planning. Civica Mobilitas works both with watchdog organisations and with CSOs supporting municipalities to better address their obligations for service provision. This intervention also foresees close cooperation and coordination among CSOs based on their affiliations or common interests in order to strengthen advocacy.

Civica Mobilitas aims at supporting CSOs in a financially sustainable way. Being aware that it is difficult to talk about the financial sustainability of the CSOs because they are not for profit organisations and will need external financial support, the project tries to support the sustainability of their approach, e.g. by identifying and supporting authentic organisations that are focused on certain fields of activities and are recognised and accepted by their constituency. Civica Moblititas believes that once this is achieved, a more sustainable civil society sector has emerged. Another important factor for making the approach sustainable is actively including as strategic partner the associations of the municipalities. In the case of Macedonia, the main success factor is the combination of different interventions and the project structure which included various civil society organisations (Civica Mobilitas), the individual citizens (Community Forums) as well as the association of the municipalities which is directly linked with the governance system of the country.

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