

ASSESSING THE ACCOUNTABILITY OF THE WORLD'S LEADING INSTITUTIONS: THE ONE WORLD TRUST'S GLOBAL ACCOUNTABILITY FRAMEWORK

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Now, more than ever, our lives are affected by the actions of global institutions. We work and socialise through a global Internet; our investments and savings flow through the international finance system; and we eat, drink and wear global brands. Through the taxes we pay to our national governments, we fund intergovernmental organisations to preserve peace and security, bail out bankrupt countries, provide humanitarian aid to the most vulnerable and negotiate settlements to bloody conflicts.

Yet such institutions stand outside the rule of democratic elections and they rarely answer to the people whose lives they most affect. Recent years have therefore seen an increasing concern with how such institutions are

governed and how they can be held accountable for their actions.¹ The One World Trust's Global Accountability Framework and assessments played an important role in bringing the need for greater accountability to the attention of the world's leading institutions. However, as this article argues, there is still a considerable way to go before the international organisations that dominate our lives can truly be said to answer to the people.

ACCOUNTABILITY DEFICITS IN THE INTERNATIONAL ARENA

The most influential international organisations can be broadly split into three camps: intergovernmental organisations (IGOs), such as the various UN bodies, International Monetary Fund and constituent organisations of the World Bank Group; international non-governmental organisations (INGOs), which provide charitable support and emergency relief and undertake advocacy campaigns around the world; and commercial transnational corporations (TNCs). All three groups can be seen to have fundamental challenges with their lines of accountability.

In their initial conception, the IGOs established after the Second World War were principally accountable to the national governments that formed their membership. These national governments were supposed

to ensure that IGOs acted in the best interests of their citizens and hold them accountable in case of any malfunction. Increasingly this line of accountability has been undermined – as some IGOs grow more powerful than their constituents, their actions increasingly affect people who are not citizens of member states, and as national governments have less interest in influencing the actions of IGOs they support.² TNCs, in comparison, can have clear accountabilities to their shareholders and consumers. However, this accountability rarely extends to the citizens who may be affected by their polluting or degrading manufacturing processes, their use of scarce land, water and other resources or their competition against smaller national brands. There is also the relative newcomer to the international arena – INGOs. Financially accountable principally to the Northern donors that mostly fund their work, INGOs often provide essential humanitarian and development support in place of national governments, but are never held to account in national elections by the people in whose country they work. Following some spectacular failures in the provision of humanitarian support at the end of the 20th century, INGOs are increasingly aware of the need to be accountable to the people they aim to help, although they still struggle with how to realise this in practice.

The extensive role of such international organisations in global affairs has led to

increasing concerns about who should take responsibility for ensuring that the decisions of powerful organisations are beneficial rather than harmful to the people they affect.³ All too often the people most affected do not have the power or weight to individually influence the world's largest organisations. This is particularly the case for IGOs that are not held within the jurisdiction of their member or host states, so that neither their staff nor those externally affected by their work have recourse to third party dispute resolution mechanisms.⁴ This accountability deficit is of fundamental concern, not only from a moral perspective, but also from a practical one: wider participation of stakeholders in any decision-making process is recognised as key in achieving effectiveness and legitimacy.⁵ For international organisations to successfully address the world's biggest problems they must take account of those lives they affect.

THE ROLE OF CIVIL SOCIETY: THE GLOBAL ACCOUNTABILITY FRAMEWORK

People from civil society have been key in demanding greater accountability from global organisations in recent years. Activities aimed at achieving greater accountability have taken different forms: investigating, monitoring, publicising and advocating for greater consultation and access.

The One World Trust, an independent think-tank concerned with global governance, broke new ground in assessing the accountability of global actors. Our Global Accountability Framework⁶ was the first – and currently only – initiative to measure and compare the accountability of IGOs, INGOs and TNCs against the same criteria. Between 2006 and 2012, almost 100 international organisations were assessed against a framework of indicators under the four principles of Transparency, Participation, Evaluation and Complaints & Response. The methodology involved extensive document reviews and interviews for each organisation. Assessed organisations were encouraged to participate in the assessment process and to provide feedback, but if a selected organisation decided not to engage, the assessment went ahead regardless, using publicly available sources. For each year of the project the results of the assessments against the framework were published in a Global Accountability Report, ranking the scores of the assessed organisations against each other and identifying instances of good practice or notable low achievers.

The organisations assessed ranged from key intergovernmental actors, such as the International Monetary Fund, various branches of the World Bank Group, regional development banks and United Nations institutions, to high profile INGOs, such as World Vision, Save the Children and Greenpeace, and to the largest TNCs such as BP, Coca-Cola and Google. In 2011, the Framework was revised and used to assess the World Health Organisation, the UK Department for International Development, the International Bank for Reconstruction and Development (part of the World Bank Group) and the World Trade Organisation, as part of a broader project looking at power, equity and accountability in global climate change governance.⁷

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The Global Accountability Framework and accompanying reports were positively received: many assessed organisations fed back that it gave them a clear and fair overview of what their strengths and challenges were. The detailed indicators of the Framework also provided global organisations with a definition of what accountability to stake-

holders could actually mean and provided guidance as to the policies and processes that should be implemented. The scoring and ranking that resulted from the assessment process created incentives for organisations in the public eye to improve their accountability performance. Further, by taking a cross-sectoral approach, the Framework demonstrated that state, non-state and commercial actors from very different sectors could all be held to the same accountability standards.⁸

There were recognised challenges with the Global Accountability Framework. These included striking a balance between being a high-level comparative framework and the need to recognise sectoral and organisational specificities; accommodating different organisational structures and types; and addressing gaps between policy and practice in accountability. Feedback from assessed organisations also identified that there was a real need to facilitate organisational follow-up to the assessments by creating a “safe learning space” for organisations to compare notes, share experiences and discuss internal reforms.⁹

Overall, however, the Global Accountability Framework was regarded as a ground-break-

ing and influential approach to improving global governance. Many organisations implemented reforms as a direct result of their accountability assessments. The Framework and its approach to stakeholder accountability have been adopted in the accountability policies of a number of INGOs, and the indicators continue to be used for individual organisational assessments. With its scorecard for intergovernmental organisations, discussed elsewhere in this report, CIVICUS continues in the footsteps of the Global Accountability Framework, by focusing specifically on IGOs’ engagement with civil society.



THE ACCOUNTABILITY LEGACY

The Global Accountability Framework assessments were part of a wider movement amongst civil society in the 1990s and 2000s to demand greater accountability from international actors, which resulted in a wave of new codes of conduct and certification schemes. Efforts such as the Humanitarian Accountability Project International Standard in Accountability and Quality Management and the Sphere Humanitarian Charter have established the

need for the humanitarian sector to ensure a basic standard of service when providing aid to victims of war and disaster. Websites such as Charity Navigator, Guidestar and Givewell allow individual donors to consider the quality and performance of different charities before deciding where to put their money.¹⁰ And the demand from the public for greater accountability has been recognised by many institutional and national donors, who have made accountability to beneficiaries a key component of their grant giving conditions.

There is some evidence that this pressure from civil society has resulted in tangible improvements in the accountability of global governance. Some international institutions have made notable reforms: accountability frameworks are now key components of most INGOs’ strategic policies, intergovernmental juggernauts such as the IMF, World Bank Group, European Bank for Reconstruction and Development and the World Trade Organisation host regular consultations with CSO representatives.¹¹ But there is still a long way to go. In a collection of essays reviewing civil society’s engagement with global organisations, Jan Aarte Scholte notes that most of the institutions considered “...have given little, if any, systematic attention to thinking through their own accountability challenges and constructing procedures that adequately respond to them.”¹² Suzuki and Nanwani suggest that many international banks still consider accountability mechanisms as merely

“...internal governance tools for enhancing their operational effectiveness and discipline of the organisation.”¹³

There remains the issue that some governance challenges in global institutions are deeply entrenched, particularly for regional and international financial institutions, where representation has typically reflected financial contributions, excluding less wealthy nations from influence. For example, attempts to reform the governance of the IMF to provide more balanced voting and membership from developing countries continue to stall, and voting reforms at the World Bank still mean that high-income countries hold vastly more power than middle-income or low-income countries.¹⁴ Scholte notes that some quarters of some IGOs, such as the World Trade Organisation, still “...cling to an obsolete Westphalian notion that they are only accountable to member states.”¹⁵ Therefore, although civil society seems to have had an important role to play in highlighting problems of accountability deficits in global

governance, there is less evidence that this results in these problems being addressed through structural reforms, which would be necessary to entrench accountability in the everyday workings of an international organisation.

There is also a related concern about the depth of some international organisations’ commitment to accountability reform. Most IGOs, INGOs and TNCs now make efforts to hold consultations with CSOs or beneficiaries and have systems to consider information requests and mechanisms to receive and record complaints. But doubts have been raised about how successful such procedures actually are in achieving true accountability. CSOs engaging with the most powerful IGOs have found that efforts at greater accountability can be superficial. Large consultations with civil society can be lavish, but their recommendations may go no further than the conference room. In individual meetings CSO representatives often only get access to junior members of staff without decision-making

power.¹⁶ TNCs are essentially driven by the interest of their shareholders and their customers: whilst these two groups may condemn extreme violations of environmental standards or human rights, the economic dynamics are set against a commercial company paying too much attention to the people affected by their operations, which could dent profit margins and raise prices. For INGOs, the people they aim to help can struggle to engage with Northern accountability mechanisms such as complaints boxes or information boards, especially if these are not in their own languages. And it is arguable how much victims of humanitarian crises can ever truly exercise an informed choice of service provider.

Has the increased drive for greater accountability from the world’s most powerful organisations therefore really led to a genuine shift in attitude towards the people whose lives they affect, or has it rather led to international actors getting better at playing ‘the accountability game,’ accompanied by their ‘props’ of information policies, consultation events and complaint hotlines?

To ensure the accountability commitments of international organisations are genuinely enacted – and to cement the achievements of the past – there needs to be new scrutiny of how commitments to accountability are realised in practice and of how international

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organisations' strategic priorities are shaped by genuine consideration of the people affected by their work. In order to achieve this, both citizens and CSOs need to be empowered: to appreciate how these organisations affect our lives, to understand the mechanisms by which they can gain access and have their voices heard, and to have the confidence to demand greater accountability.

A FINAL NOTE

Whilst IGOs, INGOs and TNCs are under continuing pressure to be accountable to the people they affect, we are seeing the rise of a new kind of international organisation, one with apparently no clear entry points to demand accountability. With the world changing with the advent of social media, widespread internet access and 24-hour communication, a new wave of global players are coming to the fore, who can have an unprecedented impact on global politics and finances. We have seen that actors such as Anonymous are capable of sparking a political uprising; Bitcoin can circumvent international financial regulations; WikiLeaks can spill the secrets of the world's most powerful countries. To a greater or lesser extent such informal global organisations often claim to be acting in the public good: WikiLeaks by publishing information about state transgressions, Bitcoin by providing a tradable currency usable for electronic transfers around the

world, and Anonymous by bringing together 'hactivists,' who often, but not always, have a libertarian political agenda.

However, their activities have not always been seen as positive.¹⁷ Who leads these groupings and by what systems they are internally governed is murky at best, let alone the question of how the individuals, organisations or states that are affected by their work can appeal against their actions. There appear to be no board of directors or shareholders and a poorly identified leadership. There are certainly no freedom of information policies, no consultation workshops, no independent evaluations and no complaint-handling mechanisms, which we have come to expect from the conventional global players. That these informal bodies answer to no one but themselves – and certainly not any national government or international body – is part of their attraction: they can operate free from crusty, restrictive and politically motivated regulation. But the negative impact of that on the individual should not be disregarded. If Anonymous hacks your website, if you lose a fortune should the Bitcoin bubble burst or if information published on WikiLeaks endangers your life, you may struggle to pursue justice through established legal procedures. Which country holds jurisdiction over them? What sanctions can truly be enacted against them? Whilst some individuals have been investigated and prosecuted, the actual 'organisations' cannot

be truly held to account. And yet, informal organisations such as these, with a global reach and opaque governance, may have an increasing role to play in the international arena. If so, conventional approaches to demanding the accountability of global organisations will struggle to keep up.

¹Accountability is a nebulous term, with different meanings for different people. For the purposes of this article, the One World Trust's stakeholder-oriented definition of accountability is used: "Accountability is the process through which an organisation actively creates, and formally structures, balanced relationships with its diverse stakeholders, empowering these to hold it to account over its decisions, activities and impacts, with a view to continuously improving the organisation's delivery against its mission." M Hammer and R Lloyd, Pathways to Accountability II: the 2011 revised Global Accountability Framework, The One World Trust, 2012, pg 30.

²J Scholte, Building Global Democracy? Civil Society and Accountable Global Governance, (Cambridge: Cambridge University Press, 2011), pg 3.

³M Blagescu and R Lloyd, The 2006 Global Accountability Report: Holding power to account, One World Trust, 2007, pg 11.

⁴E Suzuki and S Nanwani, Responsibility of International Organisations: the Accountability Mechanisms of Multilateral Development Banks, (2005) 27 Michigan Journal of International Law 177, pg 182-3.

⁵Above fn 3, pg 6.

⁶For more information about the methodology, framework and assessment reports, please see: <http://www.oneworldtrust.org/globalaccountability/gar>.

⁷For more information, please see: <http://www.globalclimate-governance.org/>.

⁸Above fn 1, pg 18.

⁹Ibid, pg 20.

¹⁰For more information about these websites please see: <http://www.charitynavigator.org/>; <http://www.guidestar.org.uk/>; and <http://www.givewell.org/>.

¹¹Above fn 2, pg 316.

¹²Ibid, pg 308.

¹³Above fn 4, pg 181.

¹⁴Above fn 1, pg 10-11.

¹⁵Above fn 2, pg 309.

¹⁶Ibid, pg 329-330.

¹⁷E O'Toole, The Anonymous Problem with Feminism, The Guardian, 7 December 2013, available at: <http://www.theguardian.com/commentisfree/2013/dec/07/anonymous-problem-with-feminism>; V Barford, Bitcoin: Price V Hype, BBC News, 13 December 2013, available at: <http://www.bbc.co.uk/news/magazine-25332746>; J Pearlman, WikiLeaks made 'extraordinary error of judgment' in meeting Assad, says Tony Abbott, The Telegraph, 2 January 2014, available at: <http://www.telegraph.co.uk/news/worldnews/wikileaks/10546595/Wikileaks-made-extraordinary-error-of-judgment-in-meeting-Assad-says-Tony-Abbott.html>.