



# Baseline Assessment of Social Accountability in the Arab World

FINAL REPORT

**Conducted for the Affiliated Network of Social Accountability in  
the Arab World (ANSA-AW) and CARE Egypt**

29<sup>th</sup> May 2013



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## The Affiliated Network of Social Accountability, Arab World

The idea to establish regional networks initiated at a conference in Ghana in 2006, where there was an identified need to connect practitioners to create a cohesive community of practice across Africa. Together they designed a regional platform that could serve to share learning, best practice and effective methodologies, and to support efforts to build capacity. Subsequently, the Affiliated Network of Social Accountability (ANSA) Africa was established. The World Bank has been working on social accountability since the early 2000s.

The model was proven to have potential as both a support to social accountability practitioners and as a means of spreading the word about the importance of social accountability more generally. Demand for regional ANSAs led to the establishment of other networks: in the East Asia Pacific region (2008), South Asia (2009), at the Global level (2009), and most recently in the ANSA Arab World (2011).

ANSA Arab World (ANSA-AW) was launched in Rabat, Morocco in March 2012. It includes members from seven countries: Morocco, Tunisia, Egypt, Palestine, Jordan, Lebanon and Yemen. CARE International in Egypt acts as the executive secretariat for the network, with financial and technical support from the World Bank.

### ANSA-AW Objectives

1. Raising awareness on the theory and practice of social accountability and participatory governance
2. Developing and building the capacity of the network's members on the concepts and tools of social accountability
3. Providing technical assistance and financial support to interested members in applying social accountability tools
4. Strengthening communication and knowledge and experience exchange between members and regional and international stakeholders

### ANSA-AW Four Pillars

The ANSA-AW network has been designed around four issues, or “pillars”, that can be considered as key components of social accountability. These pillars help shape the activities of ANSA-AW.

The four pillars that have guided the development of indicators and the data collection process of this study are defined as:

1. **Access to information:** This pillar builds upon the fundamental human right of Freedom of Information, as per the Universal Declaration for Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR). This pillar concerns the ability of citizens to see the information on which state decisions are made, as the first step towards holding leaders accountable. The pillar relates to whether a basic law exists, and the extent to which the law is enforced or adhered to (the latter being a factor which may be impacted by corruption and/or government capacity to keep records and publish data).
2. **Budget transparency:** This pillar refers to the publishing of financial information that relates to the provision of services, with a view to increasing accountability and for stakeholders to be able to influence the allocation of spending. Citizen involvement in budget decisions can be at many stages, from budget formulation to approval, execution and oversight.
3. **Freedom of association:** This pillar concerns the legality of civil society to organise and register. It is a right protected by the UDHR and ICCPR. Freedom of association has historically referred to organised interest groups such as trade unions and CSOs, however the Arab Spring and the emergence of decentralised youth movements and other coalitions has called into question the traditional understanding of how freedom of association is interpreted in practice.
4. **Service delivery:** According to the World Bank, public services usually fail the poor in their quality, quantity and access. Citizens can influence service delivery by influencing policy-makers or by participating in the management and implementation of services.

The pillars above are not stand-alone and cannot be considered in isolation. The success of one pillar often relies upon effectiveness in another pillar: budget transparency is often required for citizens to influence service delivery. Similarly, the legal protection of civil society through freedom of association is a prerequisite for citizens to be able to legally advocate for budget transparency.

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## List of Abbreviations

ABA	American Bar Association
ADDL	Association pour la Défense des Droits et des Libertés
ANSA-AW	Affiliated Network of Social Accountability-Arab World
AUB	American University of Beirut
BoT	Board of Trustees for ANSA-AW
CAT	Country Advisory Team
CCER	Civil Campaign for Electoral Reform
CEO	Chief Executive Officer
CIDA	Cultural Industries Development Agency
CMC	Community Media Centre
CMF MENA	Centre for the Freedom of Press in the Middle East and North Africa
CNRPS	National Fund for Retirement and Social Security
CNRS	French Centre National de Recherche Scientifique
CSO	Civil Society Organisation
CSR	Corporate Social Responsibility
EMDP	Egyptian Media Development Program
FOIL	Freedom of Information Law
ICT	Information and Communication Technology
IO	International Organisation
LebPAC	Lebanese Parliamentarians against Corruption
LGBT	Lesbian, Gay, Bisexual and Transgender
LPCs	Local Popular Councils
LTA	Lebanese Transparency Association
MAD	Ministry of Administrative Development
M&E	Monitoring and Evaluation
MEPI	Middle East Partnership Initiative
MP	Member of Parliament
NCA	National Constituent Assembly
NGO	Non-Governmental Organisation
OBI	Open Budget Index
OMSAR	Ministry for Administrative Reform
PA	Palestinian Authority
PJD	Islamist Justice and Development Party
PLO	Palestinian Liberation Organisation
PS	Private Sector
RCD	Constitutional Democratic Rally
REMDI	Moroccan Network for Access to Information
SCAF	Supreme Council of the Armed Forces
SWOT	Strength, Weaknesses, Opportunities, Threats
TCRG	Tobacco Control Research Group
TFI	Tobacco Free Initiative
TU	Trade Union
UNDEF	United Nations Democracy Fund
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNIFEM	United Nations Development Fund for Women
USAID	United States Agency for International Development

## Executive Summary

### Introduction

This report is a baseline assessment of social accountability in seven countries in the Arab World: Egypt, Jordan, Lebanon, Morocco, Palestine, Tunisia and Yemen. It has been funded by the World Bank and commissioned by CARE Egypt, on behalf of the Affiliated Network for Social Accountability Arab World (ANSA-AW). The research has been conducted by a team of researchers from Integrity Research and Consultancy.

“Social accountability” is a term first developed by the World Bank that describes the range of actions and tools that citizens (civil society organisations, media, private sector or trade unions) use to hold public officials and public servants to account. In the context of the Arab Spring, the question is how are citizens demanding accountability of their leaders?

The research focused on state-citizen relations and we have considered both demand-side (citizen led) and supply-side (state) governance. In each country, a national researcher has led a process of desk-based data collection, interviews and focus groups, to assess the context of state-citizen relations, perceptions and application of social accountability, and future needs and strategies. The research took place between November 2012 and March 2013.

### Context

Since December 2010, a wave of protests has rippled across the Arab World. From Algeria in the west to Yemen in the east, the Arab Spring has ousted rulers in Tunisia, Egypt, Libya and Yemen, and has brought protests to Morocco, Jordan, Bahrain, Lebanon and Palestine<sup>1</sup>. The struggle in Syria has turned to civil war and in many countries the ramifications continue over two years later.

Fundamentally, civil unrest in the region has been caused by decades of authoritarian rule, unresponsive state institutions and overbearing security apparatuses that controlled citizens and repressed fundamental rights. While the outcomes of the demonstrations are still unfolding, one common and undeniable feature across has been the reduction in the fear of citizens to stand up to demand change. Central to this has been a demand for increased voice and accountability.

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<sup>1</sup> Throughout the report we utilise the World Bank/ANSA-AW official terminology of Palestine, for the Gaza Strip and West Bank (or Occupied Palestinian Territories).

## Analysis

Evidence presented in this report shows that state institutions have been slow to respond to the demands of these movements, which have been variously articulate in identifying and pushing for specific reforms. Where new or existing governments have implemented legislative reforms, problems around citizen access, implementation and independent oversight remain hurdles.

While Civil Society Organisations (CSOs) in the region have benefited from having networks with proximity to the street, and invariably include people who have been working on these issues prior to the Arab Spring, they have also faced challenges in effectively pressurising government and legislative bodies towards making steps to increase social accountability.

Our research showed freedom of information and freedom of association to be perceived to be the two most critical pillars of social accountability. Access to public information has in some countries been virtually non-existent and we note that where legislation has been passed to increase transparency, this is alone singularly insufficient; people need the freedom to associate to work collectively in assessing information and freedom of expression to communicate findings. In this way the pillars of social accountability are interlocking and inter-dependent.

## Country summaries

**Egypt:** During the period of research, Egypt was undergoing a constitutional crisis. Mubarak's replacement, President Morsi, continues to be contested through large-scale protests as many feel the revolution has not fully delivered a reduction in authoritarianism and improved governance. Indeed, despite government awareness of social accountability, they have failed to adequately address it through their policies or the constitution, which was controversially passed in December 2012. Thus, while there are some indications that civil society is operating more freely, with public appetite for greater political involvement, and heightened political awareness facilitated by greater media activity; laws protecting fundamental rights, such as freedom of information, are yet to be enacted. Although CSOs concerned with governmental transparency, anti-corruption and recognition of rights are emerging with the removal of excessive state restrictions; many are finding that they are being increasingly marginalised in discussions over legislative reform and governmental accountability. Access to information remains vital to monitoring government activity, with many CSOs demanding that the Freedom of Information Law (FOIL) be redrafted with the full consultation of civil society, private sector, academia and human rights groups that have previously been overlooked. As such, participants in the research felt that the space for non-state actors to create positive social change was limited and that government was unresponsive.

**Jordan:** The Arab Spring did not lead to a full-scale revolution in Jordan as it did elsewhere, but it has seen the Hashemite regime come under pressure. Its response has involved employing pragmatic, yet limited, reforms to placate protesters. Social accountability measures have been a feature of this, with institutional monitoring and

accountability measures featuring prominently in broader good governance reforms. Although many in civil society have little idea of what social accountability encompasses, government measures are seen to be little more than short-term concessions, as democratic reforms stall, corruption continues, and constraints on freedoms of association and expression remain. The right to access to information, particularly administrative information, remains un-institutionalised, and though many people actively discuss politics in public or social media forums, the freedom of the press is curtailed by laws surrounding the royal family's protected status. The CSO sector is also subject to frequent government interventions, affecting the operational and financial management of many organisations. However, while the government continues to see social accountability as a means for reinforcing their legitimacy, so its policy may gradually continue to strengthen social accountability structures. Indeed, given that human rights institutions are beginning to take on more of a monitoring role within the country, pressure from international donors and organisations may come to be central to the future promotion of social accountability in Jordan.

**Lebanon:** Lebanon has not witnessed full-scale protests since the Intifada Revolution in 2005, so, in a similar way to Jordan, arguably the biggest impact of the Arab Spring has been from the on-going conflict in neighbouring Syria. Social accountability is seen as essential to restoring public confidence in state institutions, addressing clientelism, and increasing citizen participation in governmental affairs. Yet, many in Lebanon feel that despite capable public institutions, relatively free media, a healthy private sector and active civil society, most stakeholders lack the tools and capacity to implement social accountability initiatives. Areas such as financial transparency, which is regarded as integral to restoring trust in governmental bodies, has proved particularly hard to introduce, with the sectarian and patronage ties between key political actors and private companies compromising any sense of common civic interest. These vested interests are therefore seen to be a major challenge to the effectiveness of social accountability measures in the future.

**Morocco:** Although social accountability is a concept unfamiliar to most stakeholders in Morocco, the government has been forced to acknowledge the need for it, with demonstrations generating widespread interest in broader civic engagement. While social accountability measures have been introduced in the constitution, many in civil society appear intent on going further, tackling the corruption and cronyism of individuals in leadership positions. These measures have been moderated by the government, which fears that such reforms could weaken the state by promoting a disregard for the law. Attempts to allow greater representation have benefitted certain groups, particularly urban youths and slum inhabitants; but these gains are yet to extend to rural communities, who remain largely unengaged by social accountability measures. Frustrations have also emerged, as attempts to introduce greater transparency have not been complemented by measures ensuring accountability, with efforts to improve access to information and financial transparency remaining in a nascent state.

**Palestine:** Palestine is a context unlike any other in this study. Under Israeli occupation, with divided territories and a split government, it is difficult to measure levels of social accountability when the power holder is unclear. This is not to say that social accountability does not exist, indeed the research found many examples of

citizens applying pressure on relevant power holders (NGOs, international organisations and government). But internal abuse of power, corruption and nepotism all create significant obstacles to social accountability, particularly in the public sector. Many Palestinians consider social accountability to infer anti-corruption efforts, but an emerging interest in civic debate sparked by the Arab Spring has also contributed to a greater appreciation for what the term connotes. While some CSOs have subsequently accommodated certain accountability tools into their governance structures, there are concerns over their broader relevance, as many feel that they are as disconnected from local reality as politicians. Problematically, there is no right to information, and freedom of assembly rights are frequently violated by governments in the West Bank and Gaza. Palestinians often rely on the media and mass communications to access information, but political ties often compromise the independence of local outlets. Ultimately, however, research participants strongly asserted that accountability could not be achieved until the political situation was resolved.

**Tunisia:** As the origin of the Arab Spring, Tunisia has undergone sweeping changes, with demands for greater social accountability playing an influential role prior to and following the revolution. The revolution brought with it some important early gains with the institutionalisation of key reforms, such as the abolition of censorship in all written and electronic forms, allowing greater public discourse and criticism of policy. While understanding of the concept of social accountability is not widespread, some of its pillars are strengthening, including greater freedom of expression and association. However, many in civil society now feel that poor communication, coordination and a general absence of political will, has resulted in cosmetic reforms without proper grounding in law. Access to information is particularly problematic; a law passed in May 2011 allowing citizens to access public administration documents has been passed without an independent oversight mechanism. Furthermore, many CSOs lack the experience and expertise to employ accountability tools, affecting their ability to build and sustain social accountability mechanisms that truly impact governance. Thus, while the broader political climate for social accountability has changed, this is yet to translate into concrete improvements on the ground.

**Yemen:** As the poorest country in the Arab region, Yemen faces significant development challenges and many internal threats from a separatist movement in the South, competing political parties and al-Qaeda. Protests in Yemen ousted President Saleh and many international observers consider it the most successful movement of the Arab Spring. Although social accountability is not a commonly understood term, there is general consensus that increased dialogue between Yemeni civil society and international donors, and between the government and the private sector can yield tangible benefits and increased accountability. There have been some government attempts to increase the transparency of the country's extractive industries and curb elitist corruption. There are also many examples of citizen action, including from youth and women's groups. The National Dialogue is a real opportunity for citizens to influence government and build a democratic community – the challenge will be whether government is responsive to those demands.

## Recommendations to Support Social Accountability

Evidence presented in this report points to a set of specific recommendations on supporting social accountability in the Arab World, relevant to a range of stakeholders.

In addition to the provision and enforcement of basic laws that enable civil society to assemble and undertake their activities in a non-threatening environment, governments have a responsibility to actively encourage citizen feedback in policy-making and budgeting from national to local levels. We found that this may be easier for many governments at the local level, relating to service delivery. While the establishment of national dialogues about constitutions is critical at this stage in the Arab World, progress on matters that count to citizens can still be achieved at the local level.

The research found that access to information is the most important pillar of social accountability. Greater access to information is one thing, but being able to understand data, and formulating communication strategies to enact change is another. Training is in high demand by CSOs in all countries, but this also extends to government ministries who have the job of applying legislation with limited guidance and experience. Conducting joint training could provide a catalyst for strengthening constructive communication around social accountability.

Civil society organisations, media groups and trade unions without doubt require training in the technicalities of social accountability tools and mechanisms, and also about the basics of legislative processes and policy-making in respective localities. Perhaps even more important than technical training, however, is the recognition that dialogue and collective action can achieve lasting political change. When these objectives are central, organisations can focus their work and may find that the development of networks and partnerships becomes central to their way of working. Social accountability ultimately concerns dialogue, and it is therefore critical that all stakeholders, from different sectors, seek every opportunity to open up debate on issues of governance and accountability with others.

## 1. Introduction

The objective of this baseline is to capture the state of social accountability across the seven countries in the Arab World in which the Affiliated Network for Social Accountability (ANSA-AW) is operational. The study has been commissioned by CARE Egypt and will inform activities and allow for impact to be measured throughout the duration of the programme and thereafter. This chapter explains the concept of social accountability, how it applies in the Arab context, and the background and objectives of ANSA-AW.

This report is set out as follows. Chapter 2 describes the research methodology; Chapter 3 provides a regional analysis; and Chapters 4-9 cover the baselines and analysis of social accountability in Egypt, Jordan, Lebanon, Morocco, Palestine, Tunisia and Yemen. Annexes are included as attachments and cover Country Indicators (Annex 1); Country Contact Lists (Annex 2); an overview of options for Baseline Tracking Software (Annex 3); the Interview Guide used during the field research (Annex 4); and Stakeholder Maps (Annex 5).

### 1.1 Understanding Social Accountability

The use and application of the concept of accountability, as a development tool, has grown since 2001 when the World Bank's annual World Development Report laid out the concept's significance in an empowerment framework. Since then, accountability has become a central part of both governance work and development more generally, and the concept of "social accountability" – described overleaf – has developed.

Governance is always a mixture of 'supply-side' and 'demand-side' actions, carried out by governments, civil society and private sector actors. Supply-side is normally the domain of the three branches of government, the executive, legislature and the judiciary, while the demand-side refers to actions taken to strengthen the voice and capacity of citizens (especially poor and marginalised citizens) to directly demand greater accountability and responsiveness from public officials and service providers.

For the World Bank, the interest and involvement in social accountability is derived from its core goals of promoting poverty reduction alongside sustainable and effective development. Social accountability places a growing emphasis on beneficiary engagement in monitoring and assessing government performance – particularly in providing feedback on, and voicing demand for, improved service delivery – and thus contributing to greater development effectiveness. This core focus enables beneficiaries and civil society groups to engage with policymakers and service providers to bring about greater accountability and responsiveness to beneficiary needs. At the same time, many factors, including the proliferation of new information

and communications technologies, are changing how citizens, CSOs and other non-state actors engage with governments.<sup>2</sup>

The World Bank defines “social accountability” as<sup>3</sup>:

*“An approach toward building accountability that relies on civic engagement, i.e., in which it is ordinary citizens and/or civil society organizations that participate directly or indirectly in exacting accountability. In a public sector context, social accountability refers to a broad range of actions and mechanisms that citizens, communities, independent media and civil society organizations can use to hold public officials and public servants accountable. These include, among others, participatory budgeting, public expenditure tracking, monitoring of public service delivery, investigative journalism, public commissions and citizen advisory boards. These citizen-driven accountability measures complement and reinforce conventional mechanisms of accountability such as political checks and balances, accounting and auditing systems, administrative rules and legal procedures.”*

## 1.2 Social Accountability in the Arab World

The Arab Spring was characterized by the ‘domino effect’ it produced across the region. When Mohammad Bouazizi set himself alight in protest against the stagnant, corrupt and suppressive rule, and against the background of other manifestations of social protest, his action sparked a popular uprising in Tunisia, which as numerous commentators – and participants – have noted, shattered fears over confronting the regime. Events in Tunisia triggered demonstrations across the region and indirectly contributed to the fall of leaders in Egypt, Libya and Yemen. Political unrest continued across Morocco, Jordan, Lebanon, Bahrain and Iraq. Peaceful demonstrations in Syria have turned to an ongoing civil war. Information technology and social media played a huge part in mobilising people in the uprisings against dictatorial rule. Citizens found new ways of challenging the authority of single-rule leaders, demanding a redrawing of the social contract, including greater social accountability and collaborative governance.

The country chapters in this report reveal that the understanding of social accountability in the Arab World is not yet fully clear. Some stakeholders appear to conceive of it more as a form of checks and balances than as citizen – government engagement on governance for the purpose of sustainable development. Beyond the understanding of the concept there are many segments of CSOs in these countries

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<sup>2</sup> It is important to note that accountability as a concept is directly linked to power. Power-holders, arguably, are all actors within society starting with the government and political institutions, as well as non-state actors including the private sector, CSOs, trade unions and the media. For the purposes of this study, we focus solely on state-citizen relations. Please refer to “2.1 Scope of Research” for additional information regarding non-state power holders.

<sup>3</sup> Malena, Carmen (2004) Social accountability: An introduction to the concept and emerging practice. World Bank, Social Development Paper no. 76, Dec 2004.

who are working– to varying degrees - on social accountability in general as well as the four pillars of social accountability as defined in the summary above.

This baseline study on social accountability aims to help ANSA-AW in their aims and the CSOs and populations at large throughout the region. This comes at a time when a new social contract is being negotiated between the ‘authorities’ and the people for the achievement of more collaborative governance for the wider aim of sustainable development.

On the back of the Arab Spring, and in some cases before that, some governments are working to create enabling environments for greater voice, transparency, and accountability. The social contract that is being negotiated by the citizens and their governments touches on a myriad of issues, including democracy and human rights, poverty reduction, sustainable development and civil liberties.

## 2. Research Methodology

In this chapter we describe the research scope, methods, stakeholder selection, baseline indicators and the limitations faced by the research team.

### 2.1 Research Scope

As described in the executive summary, this research was commissioned by CARE Egypt on behalf of the Affiliated Network of Social Accountability, Arab World (ANSA-AW). The objective of the research was to analyse the current state of social accountability in the seven countries of ANSA-AW's current programmes. The ambition of the research was to cover nationwide perceptions of social accountability, covering both rural and urban perspectives across a range of stakeholder groups.

The primary focus of the research concerned the ability of non-state actors in seven countries in the Arab World to hold their governments to account. As such, and as per the terms of reference, the research team was required to understand the perspectives of civil society organisations, NGOs, academics, the media, the private sector and international donors. We also wanted to capture the experience and perspectives of the supply side (i.e. "the state"), which meant approaching civil servants, parliamentarians, ministers and representatives of quasi-state authorities such as anti-corruption commissions.

We recognise that in many countries in the Arab World ultimate power does not necessarily lie with the government. Monarchs, sheikhs and tribal leaders can have more authority and responsibility towards service delivery than the civil service and politicians. For the purposes of this study, and as per the World Bank definition described in section 1.1 above, we have focused solely on *state*-citizen relations, for two reasons: first, because social accountability relates for the most part in creating formal linkages to the state, even in places where the state is weak – the state-citizen relationship has also been central to the Arab Spring; second, because we need to analyse a consistent and comparable relationship across all seven countries. Further work might look at social accountability operating on other levels, including where monarchs or non-elected figures hold executive power.

A broader study would consider social accountability at a level lower than the state, that is: a) the accountability relationship laterally between institutions, and b) the ability of beneficiaries to hold intermediary institutions to account. Such institutions might include private sector companies, trade unions, CSOs, the media and international organisations. An analysis of such relationships has not formed part of this study.

The intention with regards to scope was modified in accordance with political, time, and budgetary constraints as described in Research Limitations below (2.5).

## 2.2 Data Collection Methodology

The research team utilised a mixed methods approach to data collection, including desk-based research and 'field' research in country.

Metrics: The research team collected statistics on a range of impact and outcome-level governance indicators. These statistics were drawn from a range of reputable international sources such as the World Bank Governance Indicators, World Economic Forum Competitiveness Reports, Transparency International, Freedom House, and the Arab Democracy Barometer. Statistics were collected dating back to 2005 where available, and are collated in the Indicator Database (Annex 1).

Context analysis: National researchers undertook context analyses, considering laws pertaining to social accountability, and the overarching system of governance in each country, utilising literature on relevant topics, drawn from both national and international sources. The context analyses informed the first section of each country chapter and the summary SWOT analyses that are integrated into the end of each country chapter.

Semi-structured interviews: The research team designed a qualitative interview guide on Social Accountability, which was used to guide researchers in their interviews and focus groups. The interview guide was developed in both English and Arabic, and used both for face-to-face interviews as well as sent out for completion by email. It was divided into sub sections on: defining social accountability, best practices and lessons learned, challenges, capacity and tools, stakeholders, and recommendations. The interview guide contained a mixture of closed and open-ended questions, which enabled us to collect some quantitative information as well as deeper analysis. The interviews took approximately one hour to complete, although in many cases the interview was tailored to the sector and knowledge of the interviewee in question. The interview guide is included in Annex 4. The list of interviewees for each country is included in the Contacts Databases, in Annex 2.

Focus group discussions: In contrast to interviews, focus group discussions offered a more participatory approach and allowed for brainstorming and discussion. This allowed us to examine some issues in more depth and to develop case studies. Each national researcher undertook at least one focus group, utilising the interview guide as a starting point before facilitating the discussion on pre-selected topics that fit within the four pillars of social accountability. Participants to the focus groups were selected based on an assessment of interest levels and expertise in particular issues.

## 2.3 Stakeholder Selection

A list of initial contacts was compiled by the national researchers and shared with CARE Egypt for comments and additions. The national researchers then met with the respective Country Coordinators of the ANSA-AW network, and the member of the

Board of Trustees, who each reviewed the stakeholder list and made further suggestions.

The research team provided assurance of anonymity to both interviewees and focus group participants who requested not to be named in the final report.

## Interviews

We aimed to hold at least 20 interviews in each country, with at least three interviews for each sub-sector (civil society, media, private sector, trade unions, media). The total numbers of interviews held is captured in Figure 2.1 below.

*Figure 2.1. Baseline Assessment Interviews by Stakeholder Group*

Country	Total	Civil society org	Gov't	Internat. Org	Private sector	Media	Trade Union
Egypt	22	14	4	3	2	2	0
Jordan	22	9	4	3	3	2	1
Lebanon	22	9	6	0	5	2	0
Morocco	18	8	3	0	2	2	2
Palestine <sup>4</sup>	22	13 (3)	2 (1)	1	3 (1)	2 (1)	1
Tunisia	23	12	6	0	0	4	1
Yemen	50	30	6	7	3	4	0
<b>Total</b>	<b>179</b>	<b>95</b>	<b>31</b>	<b>14</b>	<b>18</b>	<b>18</b>	<b>5</b>

Civil society organisations were the researchers' primary target and hence the numbers of CSOs interviewed was significantly higher than for the other sectors. Government stakeholders were the second priority. Trade unions and international organisations featured least in the total number of interviews, primarily due to time constraints, difficulty accessing them and the prioritisation of the researchers in their country. In the case of the media, in some countries (namely Egypt) it was found that media organisations were preoccupied with national debates over the constitution.

The researchers also had difficulty in gaining access to the private sector. This was partly because the ANSA-AW and researcher contacts fell mainly within civil society and government; and partly because individuals in the private sector did not respond to requests to be interviewed. The researchers felt in many cases that this was because they understand social accountability to be a term for civil society and not for companies – a finding in itself. Terminology that the private sector responded to better included corporate social responsibility and citizenship.

<sup>4</sup> Numbers in brackets for Palestine denote interviews that have taken place in the West Bank and (Gaza) – e.g. "13 (3)" means that 3 of the 13 CSO interviews took place in Gaza, 10 in the West Bank.

## Focus Groups

We aimed to hold at least one focus group in each country. Focus group participants were selected based on the suitability of their experience to the topic selected for the focus group; their sector; and their availability. As such, there is variation between countries. The national researcher in Yemen, for example, found it easy to mobilise large numbers of people for the focus groups because people were available and interested to join the discussions. In other countries, notably Egypt, Lebanon and Morocco, it was more difficult to access then mobilise people to attend the focus groups, largely due to a lower level of interest.

*Figure 2.2. Baseline Assessment Focus Groups*

Country	Number of focus groups	Total number of participants in focus groups
Egypt	1	5
Jordan	2	4 + 10 = 14
Lebanon	1	6
Morocco	1	4
Palestine <sup>5</sup>	3 (1)	6 + (5) + 8 = 19
Tunisia	2	5 + 14 = 19
Yemen	5	9 + 4 + 13 + 24 + 10 = 70
<b>Total</b>	<b>15</b>	<b>137</b>

Interviewees and participants in focus groups were not paid for their time, although refreshments were provided in some cases. Participation was voluntary.

## 2.4 Baseline Indicators

CARE Egypt has developed a logical framework (or “logframe”) for the ANSA-AW programme, and as such is seeking to measure effectiveness of activities at impact, outcome and output levels. In order to understand baseline information across those three levels, the research team developed SMART indicators, covering the categories described in Figure 2.1 below.

The indicators were scored and shortlisted using evidence from international reports and research organisations, against the following criteria:

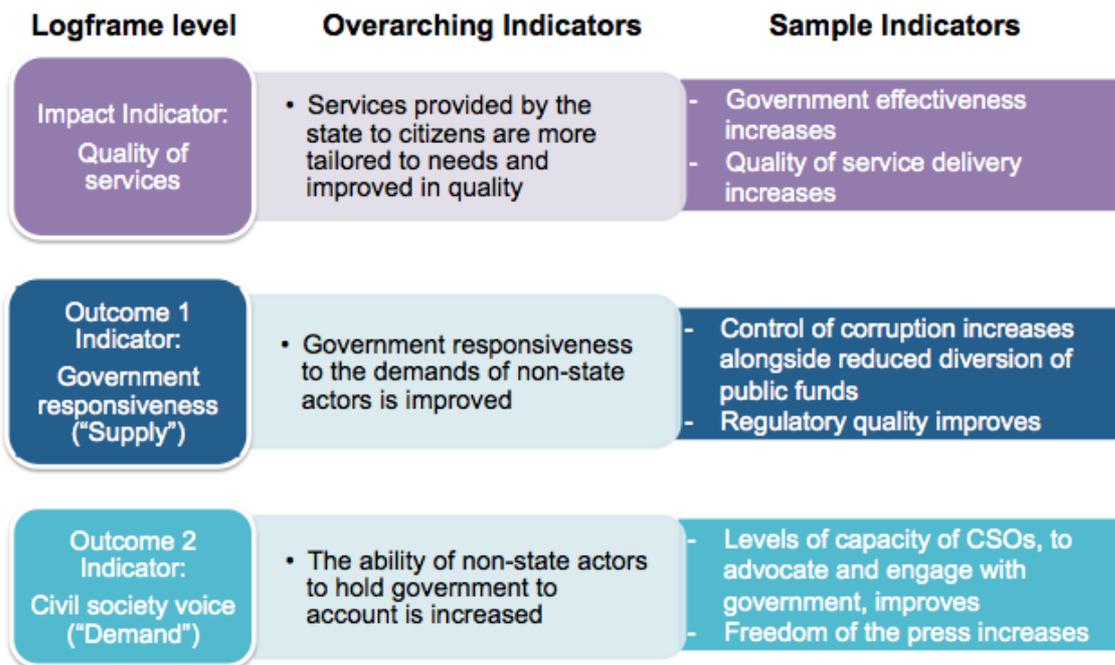
1. Relevance across the whole Arab World region, to ensure comparability;
2. Reliability and credibility of data source, proven through publicly available and robust research methodology;
3. Ease of data collection methodology (allowing for ease of future monitoring);
4. Regularity of update (e.g. annual, five yearly);

<sup>5</sup> See previous footnote.

- Whether the information was free to access, so that the ANSA-AW network would have access to the data in years to come.

Those indicators that were considered to be weak, for the reasons described above, were removed from the analysis. The Indicator Table in Annex 1 contains the rankings for each indicator, for future reference.

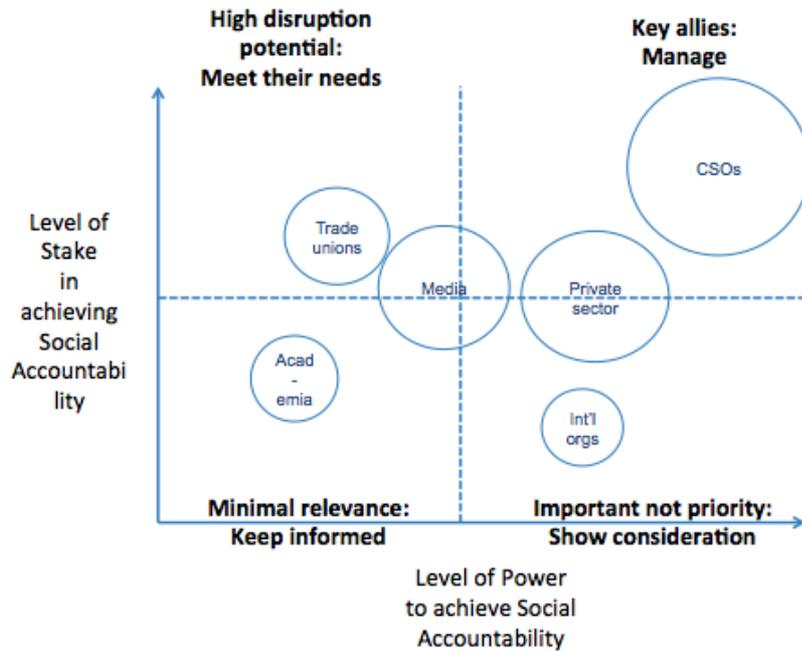
Figure 2.3. Summary Indicators for ANSA-AW



## 2.5 Stakeholder Mapping

The researchers undertook a stakeholder mapping exercise at the end of their research. Using knowledge interviews, focus groups and desk research, they were asked to plot stakeholders against a materiality matrix, which measures level of stake in an issue versus level of power to influence the issue. Materiality matrices are commonly used by companies in their corporate social responsibility (CSR) reporting. The matrix results in four quadrants, which can be used to determine different stakeholder engagement strategies, like in the example below:

Figure 2.4. Sample Materiality Matrix



- **High stake/low power:** Organisations in this quadrant have strong vested interest in the issue but may not be able or willing to influence. They may be either disempowered or disillusioned and may disrupt processes if they feel excluded.
- **Low stake/low power:** Organisations in this quadrant have limited relevance to the issue in hand. They are unlikely to be disruptive to processes nor are they likely to want to participate. They should be kept informed. There may be a long-term strategy to increase the level or stake or power of these organisations
- **High stake/high power:** These organisations are the key stakeholders for the issue concerned. They are likely to want to participate in processes and will be monitoring progress to ensure it is meeting their needs.
- **Low stake/high power:** Organisations in this quadrant have little interest in the issue but can be disruptive because of their significant power. It is crucial that their opinions are factored, and over the long-term the strategy may be to increase the level of stake so they utilise their power for positive outcomes.

This was not a scientific or quantitative exercise and has not been discussed or endorsed by participants in the research process. The Stakeholder Maps and an explanation of the graphics for each country appear in Annex 6, and may be useful for discussion purposes amongst ANSA-AW members to discuss strategies to engage different stakeholders on social accountability.

## 2.6 Research Limitations

The research was limited by the following factors:

1. The terms of reference limited the timeframe of the project to a total of four months, beginning with: indicator design and the development of contact lists; moving into research collection (lasting approximately two months); before closing with the analysis and report writing.
2. The requirement to achieve a pre-defined number of interviews across five sub-sectors (civil society, media, trade unions, private sector and government) placed pressure on researchers to increase breadth of data collection.
3. Throughout the duration of the project, political tensions in the region remained a concern and in several cases impacted the ability of the research team to conduct interviews and focus groups. The assassination of opposition leader Chokri Belaid in Tunisia, occurred just as field research was closing and resulted in restricted movement around the capital, Tunis. Similarly, ongoing protests and roadblocks in Cairo restricted travel options and interviewee access for the Egypt research.
4. Researching social accountability in Palestine brought many challenges. First, on a conceptual level, the research team had to start with the assumption that Hamas is the default “government” in Gaza with responsibility for service delivery. The reality of course is much more complex, but in discussion with CARE Egypt, we agreed not to consider the role of other duty bearers, primarily the Israeli occupying forces, or the international humanitarian sector. Second, it proved impossible for the national researcher to get a permit to enter Gaza. The options were then to focus solely on the West Bank, or to gather information from Gaza through different means. The team therefore recruited a second national researcher who was based in Gaza City and could conduct interviews in person under the supervision of the national researcher.
5. It was agreed with CARE Egypt that researchers undertaking the ANSA-AW baseline should, as a first step, liaise with the relevant Country Coordinator (CAT) and member of the Board of Trustees (BoT). The research team were put in contact with those individuals, however delays in gaining a response in some cases resulted in delays to the start of the field research. Further, some of the CATs/BoT members were unable to provide as many contacts as hoped.
6. Due to budgetary and time constraints, the research team never met in person. While the team spoke several times on group calls, and many bi-lateral conversations were held, it is possible that the lack of personal connection between the team limited the level of cross-learning and dialogue.

In sum, the limitations described above reduced the extent to which the baseline was able to cover the four pillars in real depth in each country. The focus on urban areas, mainly capital cities, resulted in a focus on social accountability regarding central government, rather than local (or rural) service delivery.

### 3. Regional Analysis

The country chapters that follow this chapter describe the level of understanding and practice of social accountability, and highlight key lessons learned and future strategies. In this section, we summarise the key findings from each country and draw together a regional perspective, looking at the macro trends, challenges and opportunities that face social accountability in the Arab World. Whereas economic and democratic development are incremental processes, the Arab Spring has increased people's expectations and demands for swift and fundamental changes. The country chapters below show that many ANSA-AW countries have made efforts to improve governance and social accountability, even if the concept is still not firmly established. Countries such as Tunisia, Yemen, Morocco and Jordan have, for example, access to information enshrined in law, although its application is another matter. As information refers to a larger process of collation, dissemination and analysis, “access” is only a single loop in that chain. It will take some time for it to come together as everyone in the state, whether it's the government, civil service, the media, CSOs, unions, the private sector or the citizens, through social accountability, they all must play a part.

#### 3.1 Measuring Impact Level

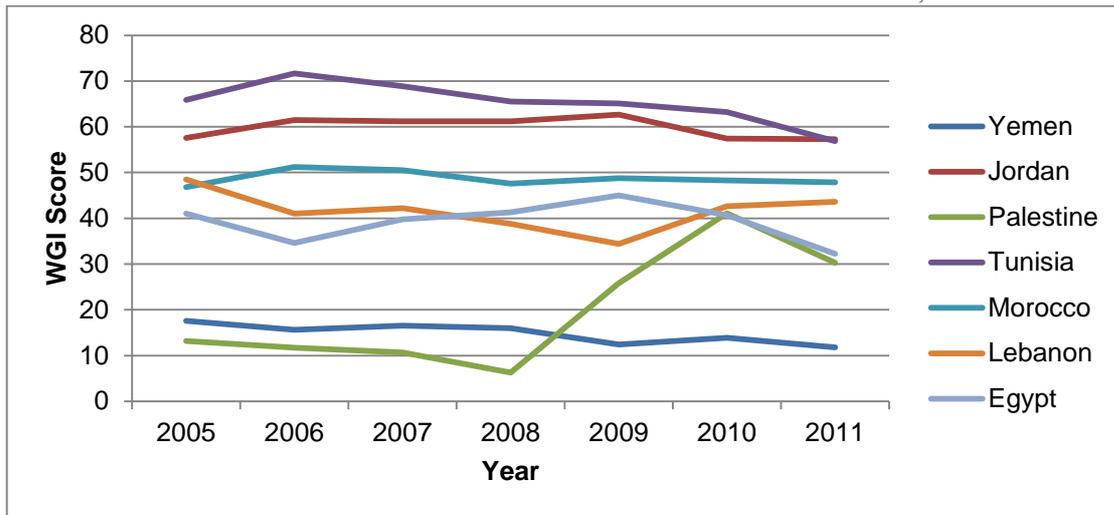
Impact Indicator:  
Quality of services

- Services provided by the state to citizens are more tailored to needs and improved in quality

CARE Egypt’s logical framework for ANSA-AW describes impact indicators as the quality of public services. The research team measured this through quantitative analysis of the World Governance Indicators, *Government Effectiveness* sub-indicator. That indicator “captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government’s commitment to such policies.”<sup>6</sup> The data is free and updated annually. Scoring is where 0=lowest, 100=highest. It is worth noting that composite indicators of this nature can suffer from methodological flaws and limitations, and ought to be supplemented with qualitative assessments.

<sup>6</sup> [http://info.worldbank.org/governance/wgi/sc\\_chart.asp](http://info.worldbank.org/governance/wgi/sc_chart.asp)

Figure 3.1. Government Effectiveness in Selected Countries, 2005-2011



Source: World Bank Governance Indicators

Figure 3.1 above shows how government effectiveness has changed between 2005 and the latest year of complete data, 2011. The data is included in Annex 1, Indicator Database. The figure illustrates that, in general, government effectiveness is deemed to have stayed the same over the six years of data. Marginal decline has taken place in Tunisia and Yemen, with Egypt undergoing the most significant fall from 2009-2011. Lebanon, contrary to the other countries, dipped in 2009 but since then has improved to reach near-2005 levels. The largest anomaly is the Palestine, where the hike reflects technocratic capacity building led by Prime Minister Fayyad after 2008, although it should be noted that a hike of this magnitude is also likely to have been caused by a data anomaly.

We cannot therefore ascertain any impact – yet – following the Arab Spring. This is logical, in that state-citizen relations are very much in the process of being redefined, and it is likely to be several years until the countries that have undergone significant transition will stabilise. It will be more years before the governments of those countries are able to improve service delivery or the quality of the civil service on the back of the political and social reform that we witness at the time of writing.

It is important that ANSA-AW continues to monitor this impact level indicator over the long-term and supplements the data with evidence gathered through monitoring and evaluation of the programme.

### 3.2 Measuring Government Responsiveness

**Outcome Indicator 1:  
Government responsiveness**

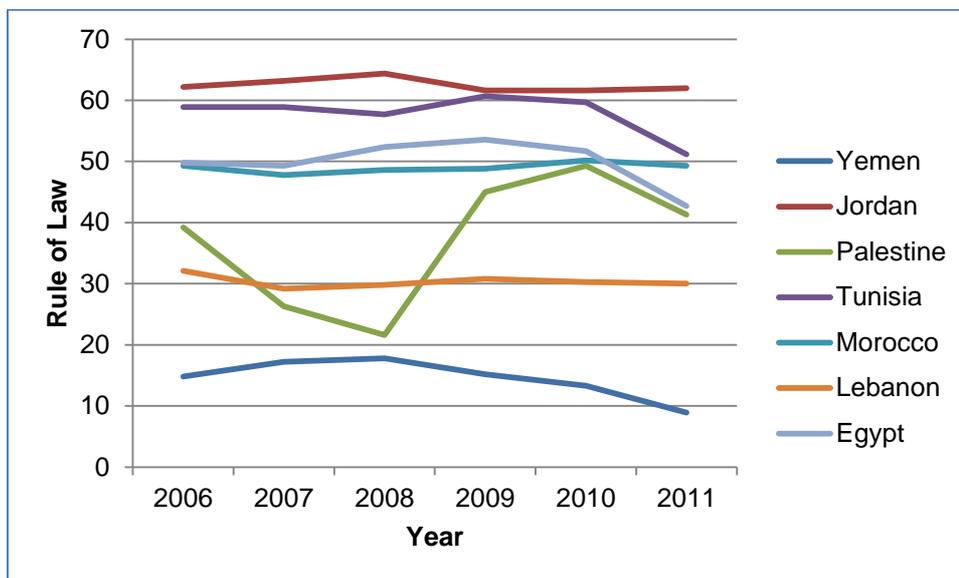
- Government responsiveness to the demands of non-state actors is improved

This research assessed government responsiveness in a number of ways. We analysed data from international sources to supplement the field research. The key indicators at this Outcome level are as follows:

**i. Rule of law**

*Rule of Law* is a World Bank World Governance Indicator, which captures “perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence.<sup>7</sup> The Rule of Law indicator ranks 0=lowest and 100=highest.

Figure 3.2. Rule of Law in Selected Countries, 2006-2011



Source: World Bank World Governance Indicators

Figure 3.2 demonstrates just how much variation there is with rule of law in the region, however, the country chapters reveal that rule of law is in part considered to be inseparable from tackling corruption. Jordan has the most effective rule of law and the slight increase occurred after high profile corruption scandals and trials took place,

<sup>7</sup> [Ibid.](#)

only for the trend to then flat-line over the last two years of data. This is arguably as a result of a feeling among citizens and CSOs that the trend will be short-lived. In Tunisia, although the scoring is quite high, there is a drastic drop after the revolution, which made the security situation unsafe and chaotic, and despite the initial strides made towards tackling corruption (particularly financial corruption) shortly after the revolution, few concrete results were obtained.

Yemen and Lebanon score lowest in rule of law indicators. Lebanon is relatively stable, whilst in Yemen there is a steady and significant drop as a consequence of the fall of Ali Saleh and the tension between north and south Yemen. Palestine shows a slight net gain over the period with a considerable fluctuation; being under Israeli occupation and with the PA not doing enough to tackle corruption, the index is susceptible to such swings.

The data for Egypt also resonates well with findings from the field research, showing that the reforms which were started in 2008 such as the setting-up of the National Management Institute within the Ministry of Administrative Development (MAD), to combat corruption within MAD. Reports on good governance indicators and the rule of law were published and posted on e-government, which explains the increase in the following year. The decline started in 2010 and after the revolution where people overwhelmingly felt that the space for citizen engagement was restricting and that rule of law was deteriorating.

## ii. Corruption

There are two international data sources on corruption that are both robust and relevant to this research. The first is the Control of Corruption indicator taken from the World Bank's annual World Governance Indicators – see Figure 3.3.<sup>8</sup> This measures “the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as elite “capture” of the state,” with 0=lowest and 100=highest levels of control.

The second corruption dataset is the Perceptions Index from Transparency International – see Figure 3.4. This measures perceived levels of public sector corruption in 176 countries, with 0=highly corrupt and 100=very clean.

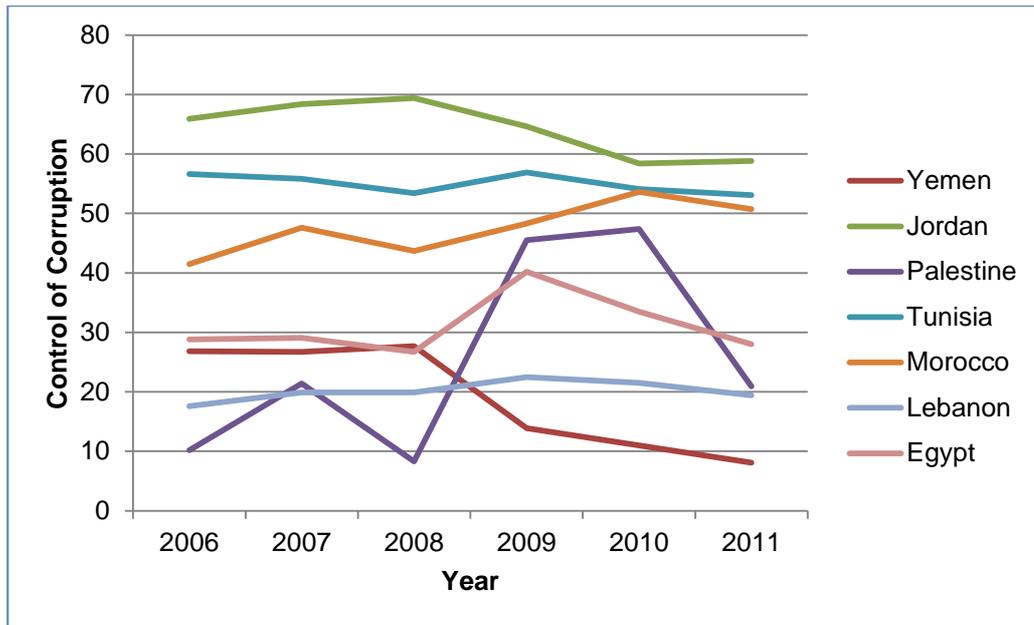
From the data, we see that Jordan, Tunisia and Morocco have the highest control of corruption and a correlated low level of perceived corruption. Similarly, there is a clear link between the limited control of corruption in Egypt, Lebanon and Yemen and a high perception of corruption in those countries. These statistics reflect findings from the field research. In Egypt, for example, the establishment of the Ministry of Administrative Development in 2008 goes some way to explaining the improvement in control of corruption seen in Figure 3.3, yet perception of corruption remains fairly steady throughout the period of analysis. Our research found that many people in Egypt perceived social accountability to mean something akin to “anti-corruption”.

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<sup>8</sup> Ibid.

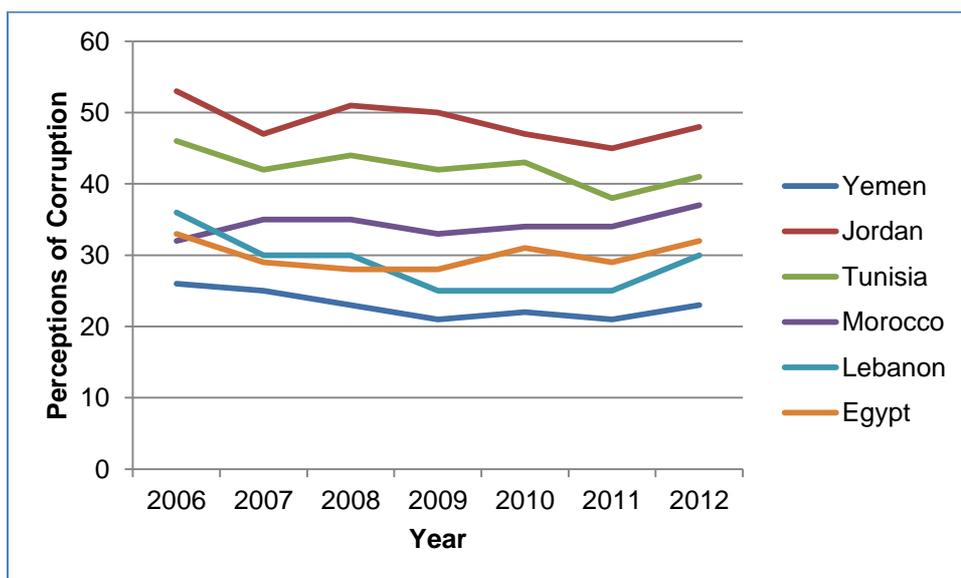
Meanwhile in Yemen – in spite of several high profile attempts to control corruption, through the establishment of an Anti-Corruption Committee in 2007, and Yemen’s participation in the Extractives Industry transparency Initiative – perceptions of corruption remain high and are reinforced by tribal affiliations controlling political institutions and business.

Figure 3.3. Control of Corruption



Source: World Bank, World Governance Indicators

Figure 3.4. Perceptions of Corruption

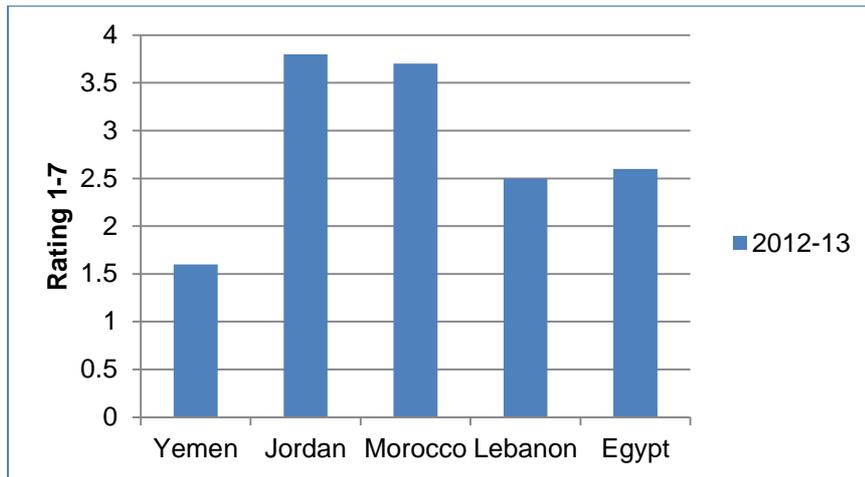


Source: Transparency International, Corruptions Perceptions Index

**iii. Diversion of Public Funds**

*Diversion of Public Funds* indicator appears in the annual World Economic Forum Global Competitiveness Report.<sup>9</sup> This is a survey during which participants are asked, “In your country, how common is diversion of public funds to companies, individuals or groups due to corruption?”. They rank 1=very common, 7=never occurs.

*Figure 3.5. Diversion of Public Funds in Selected Countries, 2012-13*



Source: WEF Global Competitiveness Report

This is an alternative way of measuring perceived corruption. Unfortunately the data does not cover all seven ANSA-AW countries, however the findings do resonate with data in Figures 3.3 and 3.4 above, in which Yemen suffers the highest perceived levels of corruption, followed by Lebanon and Egypt, while Jordan and Morocco score the highest.

**3.3 Measuring the Voice of Non-State Actors**

**Outcome Indicator 2:**  
Civil society voice

- The ability of non-state actors to hold government to account is increased

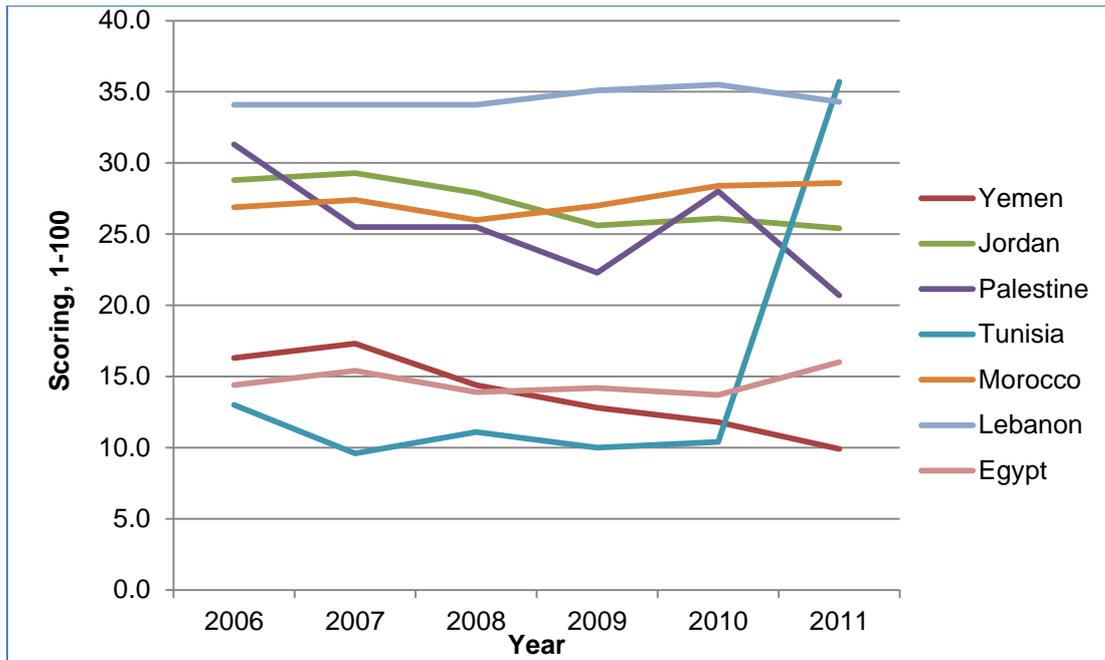
Similarly to the previous section, we have measured the ability of non-state actors to hold government to account by referring to international data sources, to complement the field research and analysis contained in the country chapters.

<sup>9</sup> <http://reports.weforum.org/global-competitiveness-report-2012-2013/> Indicator 1.03

**i. Voice and Accountability**

The Voice and Accountability is another World Bank World Governance Indicator.<sup>10</sup> This captures “perceptions of the extent to which a country’s citizens are able to participate in selecting their government, as well as freedom of expression, freedom of association, and a free media.” 0=lowest and 100=highest.

*Figure 3.6. Voice and Accountability in Selected Countries, 2006-2011*



Source: World Bank, World Governance Indicators

The key findings from this data are that voice and accountability in the region is very low, with all countries falling well into the lower percentiles of the global dataset. According to this data, Tunisia has been the biggest beneficiary from the Arab Spring, when in 2010 respondents to the survey felt optimistic about the opportunity for citizens to engage in government reform. Tunisia’s rise of over 25 points in two years is quite spectacular and is likely linked to the influx of new laws allowing civil society to organise in Tunisia, such as Decree Law 88. That said, this field research found that by early 2013 the optimism of Tunisian civil society was beginning to wane, which may be reflected in statistics for 2012 and 2013 when they are released.

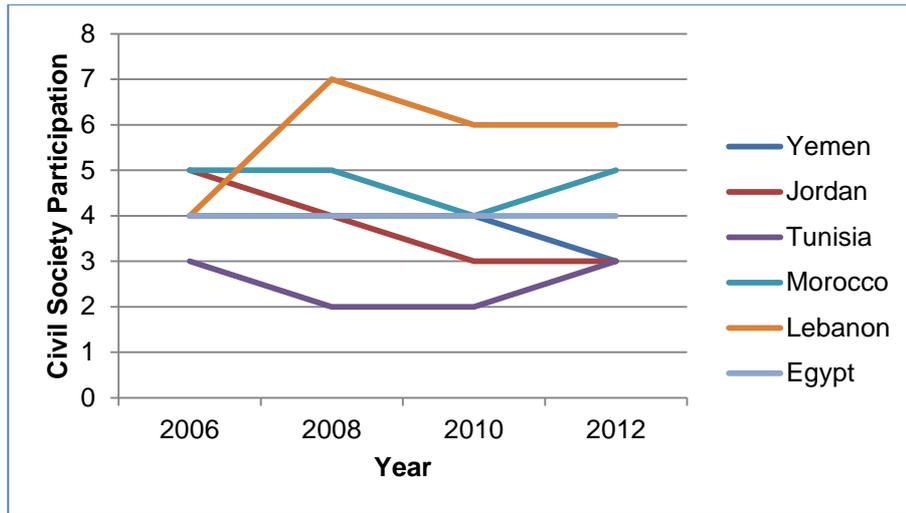
The data for Palestine is interesting and worth commentary. This field research found that civil society participation was quite high, however the freedom of CSOs to register and conduct activities such as advocacy has, at times been under severe restrictions. The correlation between such crackdowns and external political events and security concerns may explain the variations in the data.

<sup>10</sup> [http://info.worldbank.org/governance/wgi/mc\\_countries.asp](http://info.worldbank.org/governance/wgi/mc_countries.asp)

**ii. Civil Society Participation**

We have used the Bertelsmann Stiftung's Transformation Index (BTI) to measure Civil Society Participation.<sup>11</sup> This index is updated every two years. This is an aggregate index comprising the Status Index (which assesses the state of political and economic transformation) and the Management Index (which assesses the quality of governance). Statistics are produced by country experts.

*Figure 3.7. Civil Society Participation in Selected Countries, 2006-2012*



Source: Bertelsmann Stiftung's Transformation Index (BTI)

The BTI suggests there is huge range in the region, where Lebanon scores show the largest improvement on the back of the events following the assassination of Rafiq Hariri. Similar to the Voice and Accountability Index, Tunisia scores lowest overall but data for 2012 suggests an improvement has occurred, which may or may not be the start of an upward trend. Results for Yemen are that voice and accountability were parallel to Egypt in 2006, 2008 and 2010, after which they declined to a score of 3. This data reflects the field research and the finding that, in spite of Yemen's many economic and political challenges, civil society is relatively vibrant and engaging on social accountability issues.

**3.4 Pillar Analysis**

In this section we summarise the perception and performance of social accountability across the four pillars identified by ANSA-AW. We then proceed to identify priority pillars in each country, and describe how the social accountability concept was understood by participants in the research.

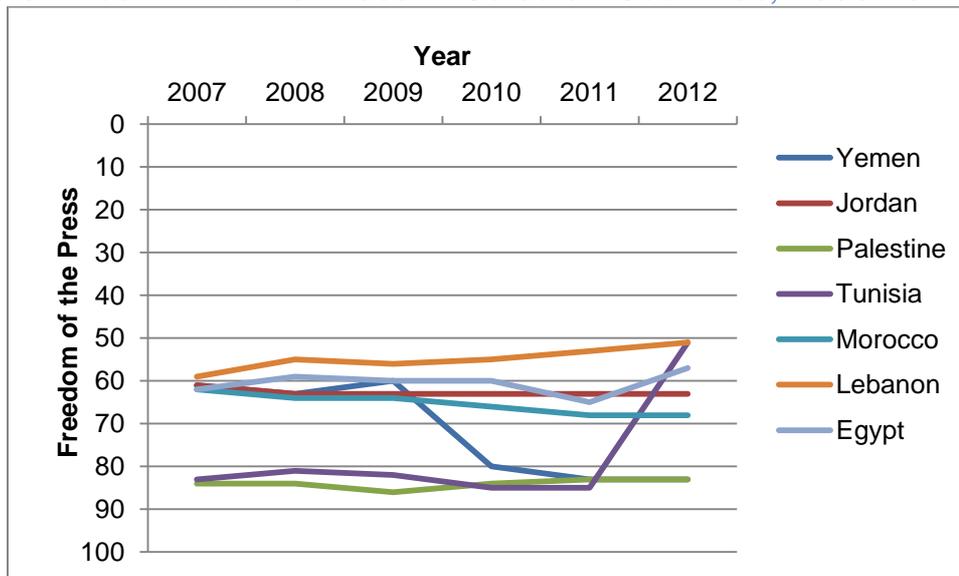
<sup>11</sup> <http://www.bti-project.org/home/index.nc>

**i. Access to information**

Access to information was considered the pillar of primary importance in most of the seven countries of study. Ensuring the right to information, and the ability to access information, was frequently cited as the first step towards achieving social accountability in the Arab region. ANSA-AW’s prioritisation of access to information is signified by the fact that only three Arab countries (Jordan, Tunisia and Yemen) have enacted access to information legislation.<sup>12</sup>

The most relevant indicator drawn from international data sources is Freedom House’s *Freedom of the Press Index*. This index aims to measure the legal and political environment for the press, with 0=most free and 100=least free. As such, it does not measure citizen access to information, but rather illustrates how *the media* is able to access information. It is not a perfect proxy. As illustrated by the graphic below, most of the countries of study have retained a similar level of press freedom since 2007, with the exception of Yemen, and to a lesser extent Egypt, which has suffered a dramatic decline.

*Figure 3.8. Freedom of the Press in Selected Countries, 2006-2012*



Source: Freedom House, Press Freedom Index

The data presented in Figure 3.8 is supported by evidence from interviews and focus groups. Base levels of legislation on access to information were found to be extremely low in Palestine mainly as a result of the Palestine Legislative Council not holding any sessions since its members were elected late 2006, because some of the members

<sup>12</sup> Said Almadhoun (2012) *Access to Information in the Middle East and North Africa Region: An overview of recent developments in Jordan, Lebanon, Morocco and Tunisia*, World Bank, can be accessed at: [http://www.earla.org/userfiles/file/Almadhoun-ATI\\_in\\_MNA\\_Region\\_ENGLISH.pdf](http://www.earla.org/userfiles/file/Almadhoun-ATI_in_MNA_Region_ENGLISH.pdf)

have been arrested by the Israeli occupation forces, notably the Speaker, and the takeover of the Gaza Strip by Hamas.

Lebanon has the best figures, which have increased steadily since 2006. Lebanon has a very active media in denouncing corruption scandals. The figures would probably be better if some of the media outlets weren't owned by powerful political figures.

A very relevant indicator that did not capture information in all seven countries is the Global Right to Information Rating. This rating measures the effectiveness of legislation, and as such is reliant upon there being Access to Information laws enacted in a country in the first place. This is why it only currently monitors Jordan, Tunisia and Yemen.<sup>13</sup>

## ii. Financial transparency

Financial transparency came up in all of the country reports, although it was considered most important in Morocco. It was highlighted as being important in Palestine but there is no legislation on the issue and research participants felt that it was a lesser issue compared to the fundamental right to access information or to form free associations.

We found several examples of efforts towards financial transparency from across the region. Morocco published a Citizen's Finance Law in 2012 that is easily digestible to literate citizens. Tunisia has also made efforts in this regard following the well-known corruption under the Ben Ali regime, with the adoption of the Anti-Corruption Law, although the impact of such measures is unclear or – worse – ineffective.

The Control of Corruption and Perceptions of Corruption indicators are most directly relevant to this pillar (see Figures 3.3 and 3.4 above). We see reasonable correlation between the two indexes, although control of corruption is more difficult to measure. The corruption perceptions data (Figure 3.4) suggests that perceptions across the region have remained steady throughout the tumultuous period of the Arab Spring, with a perceived deterioration between 2009-2011. Data from 2012 suggests an upward trend.

The Open Budget Index is a survey that “evaluates whether governments give the public access to budgetary information and opportunities to participate in the budget process at the national level.”<sup>14</sup> It is produced every two years. The data is too incomplete to form a graphic but we can say that Jordan scores the best (57) in the 2012 index, followed by Morocco (38), Lebanon (33), Egypt (13), Tunisia and Yemen (both scoring 11).

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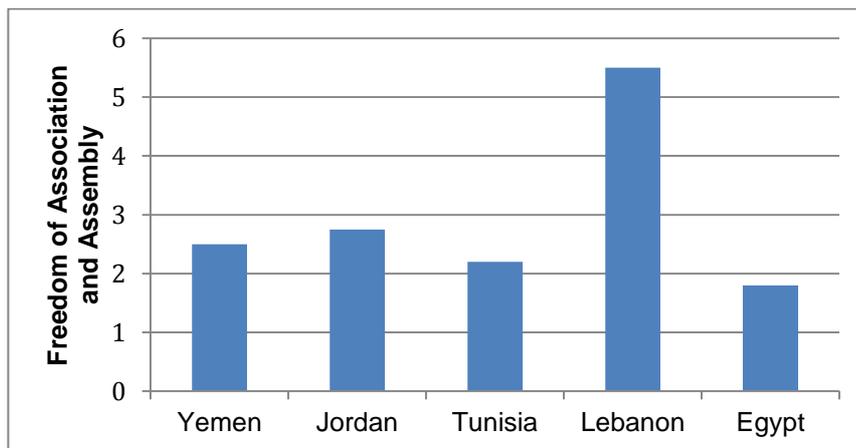
<sup>13</sup> See <http://www.rti-rating.org/index.php>. Currently only Yemen, Tunisia and Jordan are included in the rating.

<sup>14</sup> <http://survey.internationalbudget.org/#profile/TN>

### iii. Freedom of association

Freedom of Association was considered most important in Palestine and Jordan. In both context, the law is currently being debated, and CSOs and unions face political interference, obstruction and human rights violations. The Freedom of Association and Assembly indicator from the Actionable Governance dataset asks, “Does the state recognise every person’s right to freedom of association and assembly?”<sup>15</sup> Survey respondents rate 0=lowest, 7=highest. The data covers 2007-2012 period with results as follows:

*Figure 3.9. Freedom of Association and Assembly In Selected Countries 2011-13*



Source: World Bank, Actionable Governance Indicators

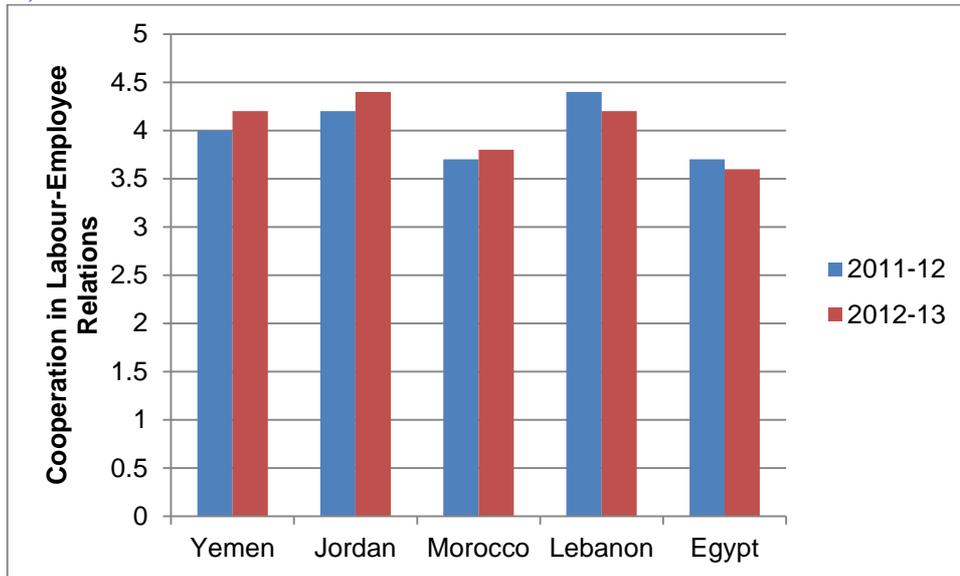
The World Economic Forum produces an indicator measuring Cooperation on Labour-Employee relations, in which respondents rate 1=Generally confrontational and 7=Generally cooperative.<sup>16</sup> There is no data for Tunisia or Palestine for the most recent year.

Year	Yemen	Jordan	Palestine	Tunisia	Morocco	Lebanon	Egypt
2012-2013	4.2	4.4	n/a	n/a	3.8	4.2	3.6
2011-2012	4.0	4.2	n/a	4.3	3.7	4.4	3.7

<sup>15</sup> [https://agidata.org/Site/Report.aspx?report=DFGG\\_REPORT&country=60](https://agidata.org/Site/Report.aspx?report=DFGG_REPORT&country=60)

<sup>16</sup> <http://www.weforum.org/issues/global-competitiveness>

Figure 3.10. Cooperation in Labour-Employer Relations in Selected Countries, 2011-13



Source: Global Competitiveness Report, World Economic Forum

#### iv. Citizen-led monitoring of public services

We were unable to identify a global indicator that sufficiently captured this pillar. Citizen-led monitoring was deemed important in Egypt and Yemen. Examples from those countries illustrated the ability of citizens to exert demands over local services, and have those demands discussed and (in the case of Egypt) met, through dialogue with local government (specifically, Local Popular Councils in Egypt).

There is evidence of some movement at government level to allow for citizen-led monitoring. In the case of Yemen, a national strategy has been drafted for the Ministry of Local Administration that incorporates some key objectives concerned with social accountability and mechanisms to activate the participatory popular control to implement the local development plans.

However, this is the sole example we found and in general the monitoring of public services was considered as a step further away from more immediate demands to have fundamental rights around access to information or freedom of association protected.

#### v. Prioritisation of the pillars

Without exception, Access to Information was identified as the most important pillar in this research. The other pillars were considered to be lesser priorities, with no clear leader for second, third or fourth position. The summary below illustrates the pillars in order of priority, as ascertained by the researchers through the qualitative research process.

Figure 3.11. Prioritisation of Pillars

	Access to Information	Freedom of Association	Financial Transparency	Citizen-led Monitoring
Egypt	1	=3	=3	2
Jordan	1	2	=3	=3
Lebanon	1	4	2	3
Morocco	1	=3	2	=3
Palestine	1	2	=3	=3
Tunisia	1	=3	=3	2
Yemen	1	=3	=3	3

Access to Information was considered by many participants in the research to be a fundamental first step before any of the other pillars can be achieved. Information is a tool for empowerment – without it, citizens cannot monitor corruption or advocate effectively. Arguably, however, Freedom of Association is even more crucial to social accountability. Without the right to organise, citizens are unable to create change. This assertion was not a finding from the research, but reference to the issue of collective bargaining and organising power is notable by its absence. Many participants in the research felt that Financial Transparency – while very important – was an issue that could be tackled only once people have been granted access to information and the right to organise. This explains why, in most countries, it was felt to be a lesser priority.

**vi. Understanding social accountability**

Participants in the research were asked to define social accountability for themselves. This open-ended question yielded many interesting results. We have attempted to illustrate the range of responses by collating some of the key words that appeared several times, see Figure 3.12 below.

The research uncovered a strong sense that “social accountability” most closely relates to notions of transparency and anti-corruption. For the most part, participants in the research also purported that social accountability related to state-citizen relations, although there was some reference to or confusion with corporate social responsibility.

Figure 3.12. Social Accountability Keywords

- |                           |                                  |
|---------------------------|----------------------------------|
| Transparency              | Shared vision                    |
| Civic engagement          | Social responsibility            |
| Good governance           | Monitoring government            |
| Anti-corruption           | Improved freedoms                |
| Accountability            | Civic engagement                 |
| Individual accountability | Legal reform                     |
| Checks and balances       | Social and political citizenship |
| Legal reform              | Government responsiveness        |
| Improved trust            | Corporate responsibility         |
|                           | Minority rights                  |

Source: Interviews and focus groups

### 3.5 Social Accountability Tools and Methodologies

One of the objectives of the research was to understand the methodologies used by non-state actors for social accountability. Both CIVICUS<sup>17</sup> and the World Bank have developed frameworks for understanding how social accountability is practiced. The World Bank framework is particularly useful because it considers how demand-side action on social accountability related to supply-side government functions (see Figure 3.13).

Figure 3.13. World Bank Framework for Social Accountability Practices

Government Function	Social Accountability Process	Social Accountability Mechanisms and Tools
Policies and Plans	Participatory Policy Making and Planning	<ul style="list-style-type: none"> <li>- Local issue forums</li> <li>- Study circles</li> <li>- Deliberative polling</li> <li>- Consensus conferences</li> <li>- Public hearings</li> <li>- Citizens' juries</li> </ul>
Budgets and Expenditures	Budget-Related Social Accountability Work	<ul style="list-style-type: none"> <li>- Participatory budget formulation</li> <li>- Alternative budgets</li> <li>- Independent budget analysis</li> <li>- Performance-based budgeting</li> <li>- Public education to improve budget literacy</li> <li>- Public expenditure tracking surveys</li> <li>- Social audits</li> <li>- Transparency portals (budget websites)</li> </ul>
Delivery of Services and Goods	Social Accountability in the Monitoring and Evaluation of Public Services and Goods	<ul style="list-style-type: none"> <li>- Public hearings</li> <li>- Citizens' report cards</li> <li>- Community scorecards</li> <li>- Public opinion polls</li> <li>- Citizen's charters</li> </ul>
Public Oversight	Social Accountability and Public Oversight	<ul style="list-style-type: none"> <li>- CSO oversight committees</li> <li>- Local oversight committees</li> <li>- Ombudsman</li> </ul>

Source: World Bank, Social Accountability Toolkit, Chapter 2

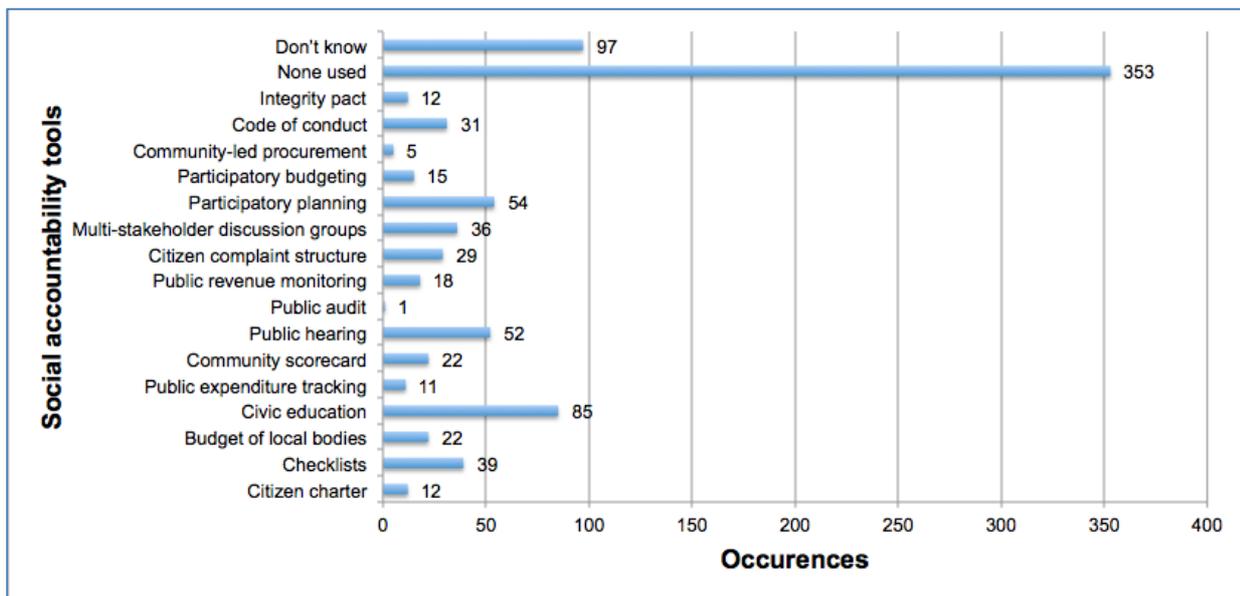
The research team developed a list of tools utilising the CIVICUS and World Bank approaches, which were incorporated into the Interview Guide (provided in Annex 4) to

<sup>17</sup> For more information see [www.civicus.org/pg](http://www.civicus.org/pg)

provoke discussion about the kind of tools that are available and might be used in these contexts.

Figure 3.14 below is an illustration of the social accountability tools that researchers found evidence of in each country. The figure is indicative only and not based upon a comprehensive survey, which is why the categories for “Don’t know” and “None used” score highly. Rather, we assessed the use of tools drawing on examples provided by participants in the research in each country.

*Figure 3.14. Commonly Used Social Accountability Tools*



As the Figure 3.14 demonstrates, the social accountability tools most commonly employed are civic education, participatory planning and public hearings. These tools proved very common in five of the countries studied, with public hearings forming a large part of the examples uncovered through the Palestine research.

Examples of public expenditure tracking were found in Yemen, Tunisia, Palestine and Lebanon. The use of citizen charters, checklists, advocacy/campaigns, revenue monitoring and citizen report cards appeared to be less common.

A more rigorous survey might yield different results. However we can ascertain several points from this analysis:

- First, that in spite of some lack of awareness of the terminology around social accountability, that it is very much being practiced, by a range of groups across the region;
- Second, that the most commonly used methodologies bring non-state actors closest to their government counterparts. This suggests that the methodologies of most use or interest relate to engaging duty-bearers directly, in public meetings or through educating the population about their fundamental rights. This is a crucial point because it suggests that the “mood” of civil society is fundamentally about negotiating state-citizen relations. This is a very political space.

- Third, that the most commonly used tools are about developing accountability, and not about providing information.<sup>18</sup>

### 3.6 Recommendations

The research across seven countries in the Arab World raised various recommendations, many of which are specific to each country context. However, we did identify several common recommendations that cut across the region.

The overarching recommendation is that communication, dialogue and mediation, concepts at the core of social accountability, should be promoted, by all stakeholders. All too often in the Arab world, disagreement leads to combative and confrontational opposition. Such approaches tend to close down the space for dialogue and result in stalemate between groups.

All stakeholders should seek opportunities to collaborate with other stakeholder groups to collectively promote accountability, and seek to share learning and encourage debate over the relevance and effectiveness of social accountability tools in different contexts.

Governments can encourage citizen feedback across policies and planning, budgets and expenditures, service delivery and public oversight. Engaging citizens on matters relating to service provision, particularly at the local level, is a viable entry point for governments seeking to increase their own accountability. However attempts to engage citizens on matters of national import such as policy and governance would vastly increase accountability. Of course such national debates are highly politicised and can be contentious. Yet, creating consultation and debate on difficult issues ensures that when decisions are made there is less recourse for objection further down the line. In essence, engagement is a political risk mitigation strategy.

Governments should also look closely at how social accountability could be incorporated, represented and then enacted in constitutions and legislation. Training is needed to assist government departments navigate domestic legal obligations and in the preparation and presentation of information. More frequent interaction between CSOs and government would support a more positive and collaborative communication.

CSOs were by far, predictably, the largest user of social accountability tools identified through this research. The research identified frequent requests for training on social accountability from CSOs. The need for tools to be adapted and relevant to each country came through strongly. Training should be needs based according to the most important objectives of civil society and the network in that individual country. Participants desired technical training on aspects of the law, and how to engage with legal processes. For example, at what stage can CSOs provide inputs into a draft bill, and through what channels of communication? The research identified an express desire to make training highly practical in every country of study.

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<sup>18</sup> The list of tools that were used in the Interview Guide (Annex 4) were drawn from “*Sourcebook of 21 Social Accountability Tools*”, 2012, Program for Accountability in Nepal (PRAN), and the World Bank Sourcebook on Social Accountability.

Trade union groups were not found to be major users of social accountability approaches, however they were not a primary focus of this research and more analysis may need to be conducted to fully understand the ways in which unions and associations in the Arab World.

Media has a responsibility to help frame the national and local level debates around social accountability, and celebrate successful initiatives whereby citizens have held government to account.

The private sector was not found to be a promoter of social accountability vis-à-vis the state; rather it has responsibility of its own towards consumers and citizens. As such, the social accountability tools purported in this research were not very relevant to businesses in the Arab World. Instead, the private sector could start utilising corporate social responsibility approaches, whereby they develop strategies, systems, engagement techniques and means of monitoring their performance, to promote their own accountability.

## 4. Social Accountability in Egypt

*“The government has no direction or policy to be able to handle basic problems nor are they capable of supporting Human Rights. However, they seem to be more responsive to sectoral demands to avoid escalation of coercion.”*

Civil society organisation, January 2013

### 4.1 The Context of Social Accountability in Egypt

Egypt’s transition from authoritarian government to a more open system with democratic institutions remains uncertain. Momentous political, social and economic developments have led to popular disappointment and growing disillusion with the government’s failure to improve the lives of its citizens. The lack of visible reforms of democratic institutions and of laws and policies that govern the civil and political rights and freedoms of people in Egypt, since the fall of Mubarak in February 2011, has minimised the impact and expectations of citizens across the country and wider region.

However, there are indications that civil society is operating more freely. This can largely be attributed to heightened political awareness and an increased desire for social and political involvement of the public. Well-established and some newer CSOs have felt that it is their national duty and social responsibility towards communities to promote the role of citizens, especially that of women and youth, in public life. Popular support for positive action to benefit the country has provided critical momentum to many civil society activities and initiatives.

Another source of empowerment, expressed mainly by advocacy groups and activists, was the media’s increased coverage to issues during and following the revolution. Such coverage has created more public awareness and support for advocacy activities. Indeed, this assertion is supported by data from Freedom House and the World Bank, in which we see an increase in press freedom in 2012 compared to previous years, though a dip in freedom during 2011 compared to 2010, as per Figure 4.2 below. Although statistical evidence for increased voice and accountability does not go beyond 2011, we assume a similar upward trend has continued in 2012.

By far the most commonly cited reason for this feeling of increased freedom is the lack of excessive supervision and restrictions, especially by the National Security Authority (now dismantled<sup>19</sup>). Before the revolution, CSOs, needed to acquire permission from the Authority before they scheduled any public events, such as forums, relief campaigns, celebrations, and promotional events. Receiving permission for such activities was usually very time consuming, as authorities would often stall the process to cause frustration among the organisations. Moreover, organisations wishing to become legal entities had to endure extensive background checks by the Authority on every board member, which took an exceedingly long time to complete.

<sup>19</sup> The NSA (Amen El Dawla) was dismantled and later became Amen El Watani. The latter does not have the same responsibilities as the NSA (giving licenses, background checks, etc), as its main responsibility revolves around national security.

After the revolution, the National Security Authority was dismantled by a decree from the Supreme Council of the Armed Forces (SCAF), leaving CSOs with newfound freedom to carry out their public activities without the same restrictions from the government. However, some advocacy organisations have been directly affected by the SCAF's restrictions and now believe that they enjoy much less freedom to pursue their missions. For example, many women's rights groups now feel that they have less freedom as a result of their perceived connections to the Mubarak regime. Prior to the revolution, laws and organisations supporting women's rights were largely protected and encouraged by Suzanne Mubarak; for this reason, organisations currently working on gender are often treated as remnants of the old regime and believe they are facing greater restrictions than before. Whether they are indeed facing greater restrictions than others, or just fewer privileges than before, is a hypothesis we were unable to fully explore during this baseline.

While numerous massive large-scale demonstrations have taken place around the country by different groups calling for progress on key issues including the dissolution of the recently declared constitution, improved labour rights, and the provision of basic services to all citizens, for most the significant upheaval has not been met by positive steps taken by the new government towards meeting the revolution's demands.

Disregard of demands continues to result in strikes, sit-ins, blocking of government institutions and main roads, which in turn gives way to growing security concerns and contributes to increasing economic instability. Although the January 25<sup>th</sup> revolution brought about change, with citizens no longer afraid to publicly voice their concerns or openly make demands of their government for change, two years on many have lost confidence in the newly elected leaderships ability or political will to effectively reform institutions to enable improved service delivery or poverty reduction.

Egyptian CSOs and the private sector are equally uncertain as to where the current trend is taking them, as they too find themselves marginalised from contributing to legislative reform. The new constitution and the recently appointed Islamist-controlled *Shura* council have left these sectors questioning the applicability of laws and legislations currently being drafted. This has led to an escalation in civic engagement from organisations like the Egyptian Organisation for Human Rights, and informal advocacy groups such as *Kefaya*, 6<sup>th</sup> of April Movement and the National Association for Change. These organisations are demanding greater accountability of the government to citizens, and the involvement of citizens in decision-making processes.

The Government, however, is becoming less tolerant of such demands, blaming delays on the political unrest that has continued since the election of President Morsi. Interestingly, according to government officials interviewed for this study, government institutions that were assigned reform initiatives prior to the revolution, such as the National Management Institute (Ministry of Administrative Development) and the Equal Opportunities Unit (Ministry of Finance), defined social accountability as a culture that doesn't exist amongst Egyptians.<sup>20</sup>

While these government institutions continue to work on these internal reform efforts, respondents noted that the current government's political agenda has yet to prioritise initiatives that promote accountability and transparency. Furthermore, local popular

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<sup>20</sup> According to interviews with government employees, January 2013

councils (LPCs) continue to be marginalised. The need for effective social accountability mechanisms at a community level was a commonly cited belief among practitioners and CSOs interviewed during the course of this research. As a result the continued marginalisation of the LPCs, CSOs and the private sector can only negatively impact any attempt to bring about effective reforms. As long as the government is unwilling to accept accountability to the people, laws that are currently being drafted will never be accessible, equitable and enforceable.

## 4.2 Perceptions of Social Accountability in Egypt

For development-focused CSOs, social accountability means an increased recognition from the government that citizens and communities at the micro-level have an important role to play in how their government performs. Additionally, at this critical juncture, it is imperative that civil society creates an inclusive and coherent dialogue with a more responsive government respectful of rights, as well as other stakeholders, in order to chart a course for the country’s immediate relief needs and long-term socio-economic and political development.

Within the private sector, social accountability is understood in terms of government transparency and efforts to eliminate corruption; changes in labour laws to promote basic human rights; and taxation laws that are administered fairly across the sector, including the businesses that have emerged in the informal sector since the revolution. According to private sector respondents, up to 20% of the private sector, which are mainly large and medium enterprises, are forced to comply with existing laws. Through Corporate Social Responsibility (CSR) programmes and internal accountability policies and systems, some large corporations (such as McDonald’s, Rich Bake, Samsung and Maghrabi) aim to ensure that their stakeholders’ (employees and their families, agricultural suppliers and surrounding communities, etc.) human rights are respected and protected within the framework of international norms and principles. This has been to varying degrees of efficacy.

### What do you understand by social accountability in Egypt?

- Accountability
- Transparency
- Anti-corruption
- CSR
- Minority rights
- Good governance

The strength in citizen voice and increase in civic engagement at the national level has made some government institutions (particularly institutions that have been working on reform initiatives since the Mubarak era), donors, civil society and development practitioners recognize the need to fully understand social accountability as well as to promote initiatives that can work on strengthening transparent and accountable governance (including systems and institutions) not just within government bodies, but also across different sectors, to generate more efficient service delivery.

## 4.3 Pillar Analysis

*"People have the right to know how their taxes are spent and be part of the decision-making process. Demands should be made based on evidence... Unfortunately, we have high levels of illiteracy and people don't care enough to understand that developing services and infrastructure is long-term before demanding."*

Government employee, January 2013

Figure 4.1. Egypt – Baseline Status of Pillars

	Access to information	Freedom of association	Financial transparency	Citizen-led monitoring
Relevance (rank 1-4, with 1 as priority)	1	3	3	2
Status of legislation	Draft Freedom of Information Law (FOIL) though not yet implemented	<p>Egypt is a signatory to international agreements on the Rights of Freedom of Association and has a constitutional obligation on the same issue.</p> <p>The existing NGO law 84/2002. The Ministry of Social Affairs proposed a new law in January 2012, with harsher restrictions that surpass the current infamous NGO law.</p>	<p>Law 35/1960 regulating statistics and census</p> <p>Law 87 regulating public mobilisation</p> <p>Law 121/1975 regulating the maintenance of state official documents</p> <p>Presidential decree 627/1981</p> <p>Egypt has signed the UN's 'Global Compact' and United Nations Convention against Corruption (UNCAC)</p>	<p>The drafted FOIL Law doesn't clearly outline the right of government monitoring by the public. The Constitution is also vague in that category</p> <p>The Transparency and Integrity Committee (TIC) for anti-Corruption was set up in 2007 and includes in its membership a number of representatives of the civil society sector.</p>
Effectiveness of legislation	Actual implementation has never been followed with the Emergency Law in effect	<p>Actual implementation has never been followed with the Emergency Law in effect, which has often allowed the old regime to disregard such obligation.</p> <p>Even higher level of deterioration after the revolution, with the absence of a new constitution</p>	<p>Lack of accurate, detailed and timely information.</p> <p>Abuse of freedom of information against national security concerns.</p>	<p>The Transparency and Integrity Committee (TIC) for anti-Corruption setup in 2007 includes a number of representatives of civil society</p> <p>Need better handling of corruption complaints, e.g. "Ombudsman tool", increased transparency of the national budget, govt. capacity, civil service code of conduct</p>

## i. Access to Information in Egypt

Defining social accountability is challenging for the CSO, private, and the government sectors, yet all noted that access to information is a primary pillar. As long as Egyptian citizens remain ignorant of government activities and the government continues in the footsteps of the former regime preventing the public from obtaining information, meaningful accountability cannot be fostered and corruption will continue to prevail. According to human rights activists, Ghada Abou El Komsan (Egyptian Centre for Women's Rights) and Dr. Hafez Abou Saeda (Egyptian Organisation for Human Rights), "by giving the public access to information, you force the government to be more transparent and begin paving the way towards democracy."

Prior to the events of January 2011, Egyptian civil society advocated for the importance of access to information and the type of information sought. Post revolution, civil society continues to demand that the new draft Freedom of Information Law (FOIL), which is currently being drafted without the inclusion of relevant stakeholders, ensures the rights of citizens to request and receive information to enhance transparency and increase accountability of the government. Several interviewees stressed that access to information should not be a privilege that the government grants, but rather that government needs to work on changing the culture of access to information from within.

"The e-government [the Egyptian government's internet portal] that was set-up prior to the revolution is a good start that shows willingness to share information," highlighted Dr. Ghada Moussa, ANSA-AW committee member and Director of the Governance Center at the National Management Institute (Ministry of State for Administrative Development), "but little thought has gone into the mechanisms of communicating to a public where the majority are illiterate."

For the private sector and media enterprises, rampant corruption will continue if laws are "unable to provide citizens with an opportunity to engage in oversight over their government to ensure that money spent is focused on Egypt's social and economic systems rather than the Muslim Brotherhood's political agenda," said Tarek Atia, Managing Director of Egypt's Media Development Programme. Similarly, businesses access to information helps assure fair opportunity based on quality and competency when working with the government.

According to CSO representatives, a draft of FOIL was recently shared by Morsi's government with "irrelevant stakeholders", at an event that included celebrities and other prominent figures, but neglected to include important stakeholders such as civil society, the private sector, academia and human rights groups, both national and local.

However, administrative and legal processes that allow community-based monitoring were never formally set-up. With the revolution came an opportunity to build an inclusive environment that supports reliable service delivery and empowers citizens both economically and socially through increasing public knowledge of the overall and financial performance of companies and other establishments.

Unfortunately, Egypt's political instability is hindering Egyptians' ability to participate. "We all need to work towards increasing public knowledge. We cannot keep on blaming illiteracy for people not knowing their basic rights," said Dr. Soumaya Ibrahim, gender specialist and board member of the Association for the Development and Enhancement of Women. "It's our role to help people know their entitlements, and it's the government's job to facilitate access to these rights and establish practices and systems that hold them and their leaders, through all levels, accountable to the public."

More positively it was evident that some government ministries (Ministry of Youth and Ministry of Finance), quasi-government institutions (Egyptian Federation of NGOs) and donors (Ford Foundation, CIDA, and USAID) believe that CSOs play an integral role in community-led monitoring of public services. According to Azza El Raissi, Executive Manager at the Egyptian Association for Marketing and Development, Egyptian civil society and government institutions, especially at the community level, continue to be provided capacity building that focuses on good governance practices, and understand the demand and supply-side of service delivery.

## **ii. Citizen-Led Monitoring of Public Services in Egypt**

Practitioners in the development field have stressed the important integration of social accountability pillars, which deal with information, transparency, combating corruption and civil society freedom in ensuring that basic public services are being provided based on citizen engagement and demands. According to Mervat Lotfy, Basic Education, Community Development and Democracy programme manager in the Jesuit and Frère association, "for an Egyptian to participate in the public decision-making process, he must know his basic rights and have access to information upon which he is then able to monitor and make rational decisions".

Prior to the revolution in Egypt, major donors (USAID, UNDP, UNIFEM, CIDA) provided development organisations and local CSOs with funds on projects/programmes that empowered citizens to participate in community-based planning and engage with local popular councils in the decision-making process to improve the services provided to lower social classes and the disadvantaged. The lack of such engagement and the need for well-informed and participatory citizens was raised with the former government who had promised such reforms during the last election campaign prior to the uprising. Accordingly, the Mubarak government gave development and charity CSOs more latitude to fill in the gaps that the government was failing to address - as long as they did not criticise the regime.

This led Egyptian CSOs to collaborate with government bodies like the Ministry of Communications and Information, the Ministry of Administrative Development, the Ministry of Finance, the Ministry of Higher Education and Scientific Research, the Ministry of Education, and the Ministry of Agriculture to create sustainable programmes for the elements of Egyptian society that they serve, equipping communities with skills for the long-term. Efforts included involving grass-root communities in developing "sound feasibility studies" to assist local government bodies in allocating public funds where needed.

## 4.4 Social Accountability Practices in Egypt

**Outcome Indicator 1:  
Government  
responsiveness**

- Government responsiveness to the demands of non-state actors is improved

### Government

While social accountability practices are somewhat evident in Egypt, serious deficiencies were found during this research in both understanding and implementation of the concept. At the national level, the government continues to lag on establishing clear delineation between governmental and other sectors, within which political and executive roles are clearly established according to mechanisms known to the public. Leaders still fail to understand the importance of fostering open and transparent economic systems to strengthen accountability to enhance credibility and gather support for the economic and political empowerment of the people. At the community level, government institutions fail to understand their responsibility across the various levels of government and the relationship between executive and legislative authorities; and decision-making continues to be centralised.

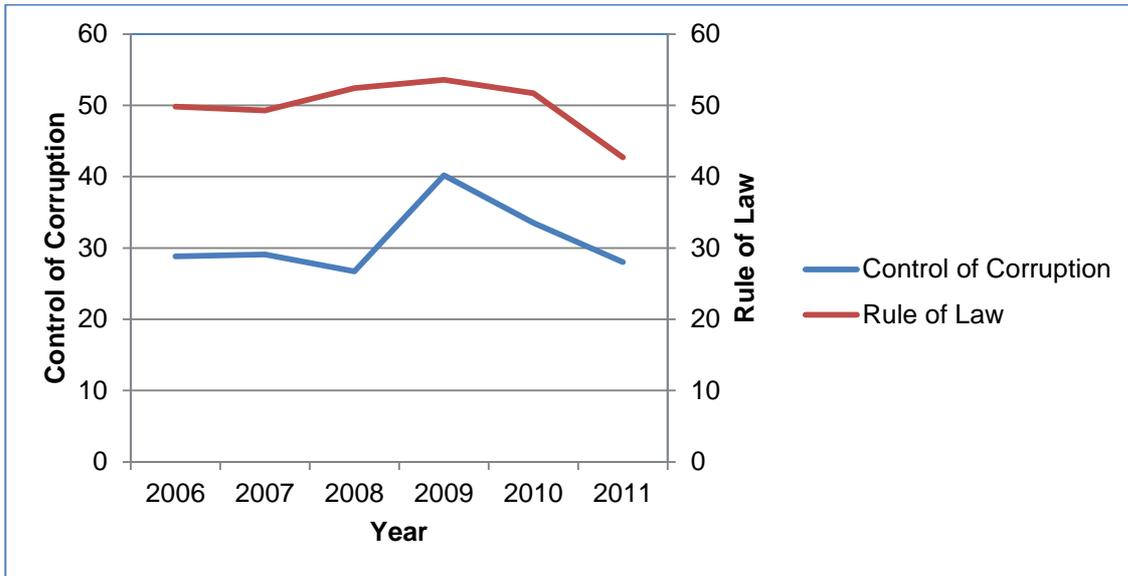
*“The government has no tools or know-how to handle reform initiatives and raise awareness. There needs to be more dialogue to establish trust.”*

International organisation, January 2013

Some government reform efforts that started during the Mubarak regime continue, but on a minimal level. Within the Ministry of Administrative Development (MAD), the National Management Institute was established in 2008 to combat corruption within MAD. Reports on good governance indicators and the rule of law were published and posted on e-government. Other publications raised awareness on major social accountability issues such as citizen budgeting from a democratic perspective, and government services and community-led monitoring.

Similar to the Ministry of Administrative Development, the Ministry of Finance set up the Equal Opportunities Unit to develop a programme-based budget from a gender perspective. The aim is to simplify Egypt’s budget for the public to understand, hence promote transparency and gender equality. Through donor programmes, the Unit has published booklets to raise citizen and media awareness on budget items. Social accountability efforts are taken further by creating the same booklets for schools to share with students, however, it is still under consideration within the Ministry. Despite these reform efforts, data from the World Bank highlights their minimal impact with a dramatic decrease in the rule of law and corruption controls from 2009 onwards. It would appear that corruption controls and rule of law are on a downward trend, as per Figure 4.2 below.

Figure 4.2. Control of Corruption versus Freedom of the Press in Egypt



Source: World Bank World Governance Indicators 2006 - 2011.

**Outcome 2  
Indicator:  
Civil society voice**

**CSOs**

Civil society is working alongside the private sector on community-based initiatives in designing community scorecards to assess the performance of community-based initiatives, such as schools or healthcare facilities.

According to Nevine Elibrachy, Chairperson of the Board of Peace and Plenty Association that is running the operations of a school in Ezzbet Khairallah, every three months parents, especially mothers, are asked to list the advantages and disadvantages of what the school offers as a way to evolve its programmes. Local councils and relevant government institutions are invited to participate. As most communities are largely illiterate, assessments are simplified and often undertaken at public meetings.

Communities are asked to assess performance of those involved (such as teachers, administration, nurses) infrastructure, and implementation of the initiative. Accordingly, capacity building plans are developed to address performance gaps; overall efficiency of running operations are reviewed; and roles and responsibilities shared. The public participation allows better and more directed dissemination of information on community related social, cultural and economic issues. Additionally, a sense of ownership and trust is built as a result of the transparency of the process and the participation of community members.

Other civil society organisations focus on increasing people’s awareness of community-based issues and encouraging them to take the lead in addressing these issues. Active community members and representatives from local NGOs are invited to training workshops on good governance, community participation and public accountability tools and techniques.

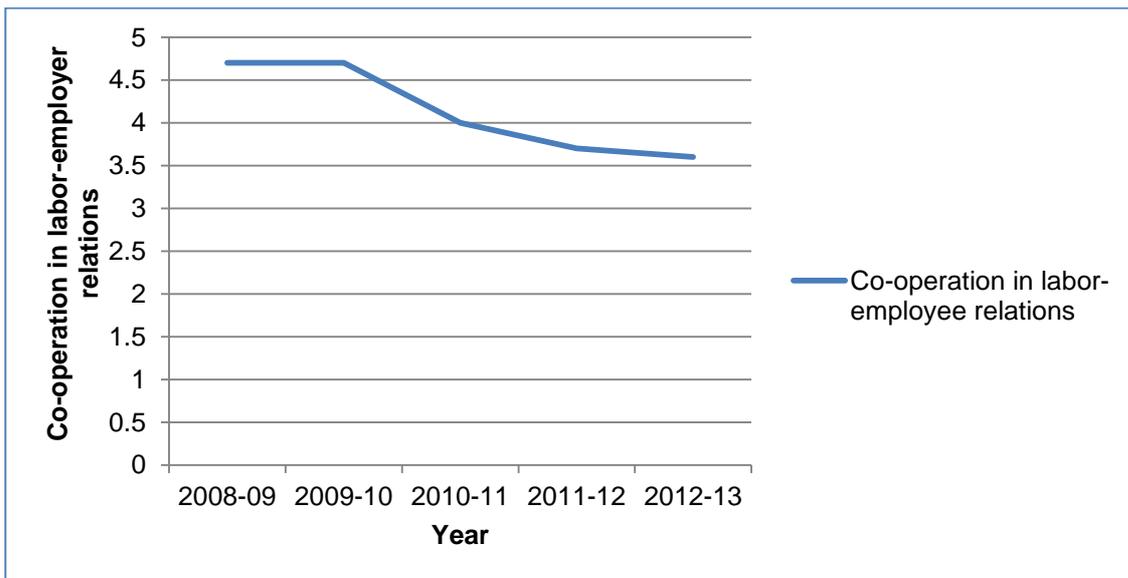
Government participation is often challenging, however, at local levels, government representatives are invited to attend the training alongside the local media. Participants are encouraged to undertake participatory activities the use of accountability tools, such as citizens’ charters, to address a certain issue within their community and to identify relevant stakeholders that should be involved in the improvement plan. Such efforts are often limited by the availability of donor or private sector funds and are not always replicated or scaled up beyond a few districts. Community coalitions are needed to push the government to adopt such initiatives. Adoption means acknowledging citizen’s right to know and account the government responsible for the poor public service delivery conditions.

**Private sector**

In Egypt, the private sector takes the lead in establishing successful social accountability. Through corporate social responsibility programmes, large and medium corporations have established systems and policies that include how resource efficiency is being run and implemented. Such open and participatory systems have sometimes engendered trust from employees and suppliers. In McDonald’s, for example, a checklist of entitlements and the corporation’s brand promise is included in the employee’s contract. Employees are able to use this checklist when asked to evaluate the company’s performance towards its brand promise using people and environment scorecards. Similarly, a supplier evaluation system has also been set-up to ensure that all suppliers related to the brand adhere to employee safety and rights.

That said, strikes, sit-ins and labour protests continue around the country. Statistical evidence from the World Economic Forum suggests that labour-employer relations are deteriorating, as per Figure 4.3 below.

*Figure 4.3. Co-operation in Labour-Employer Relations in Egypt*



Source: World Economic Forum – Global Competitiveness Report 2008-13.

There are some examples of good practice. “Regardless of the circumstances that we as a corporation are undergoing with the government, we are obligated towards our employees,” stressed Amr El-Helaly, CEO of Modern Bakeries. “Aside from basing labour wages on the current market inflation, we also strive to ensure that our employee and his family are able to find the basic services that they need.”

Beyond labour protection, there is some evidence of giving back to the community. Issues such as violence against women, minority rights, and environment (littering, green industry, etc.) are being addressed through the production of visual campaigns aired on the television, and simplified messages that are painted on the back of delivery trucks. The Ministry of Education is sponsoring programmes that promote ethics, values and good habits.

Some have even moved further to either partner with or establish foundations that deal with the major issues that Egypt is currently facing. The Baladna Foundation was established by Modern Bakeries to lobby government decision-makers, raise public awareness, and share information relevant to their rights as Egyptian citizens. McDonalds partnered with Peace and Plenty Association to rebuild Ezbet Khairallah, the largest unplanned community in Egypt, to improve health and education services, working on infrastructure and building capacity, as well as community awareness programs on women and children’s rights.

Within the private sector, stakeholders of primary relevance are normally those working within the structure of the corporation (employees, board, suppliers, and beneficiaries of CSR programmes to a lesser extent). Participatory performance assessments are done to identify the strengths and weaknesses of their operations. The assessment, similar to public scorecards, is designed on a number of criteria and is conducted on a quarterly or bi-annual basis. Participation includes representation from their employees, suppliers, board, and the producing farmers/families, in some cases. Based on the assessments, the sector develops improvement plans.

Corporate social responsibility programmes are usually based on information gathered about the existing public services from the intended beneficiaries and local government (service providers). A competent local CSO is chosen, if the corporation doesn’t have its own, to act as the mediator between the public, service providers and the corporation

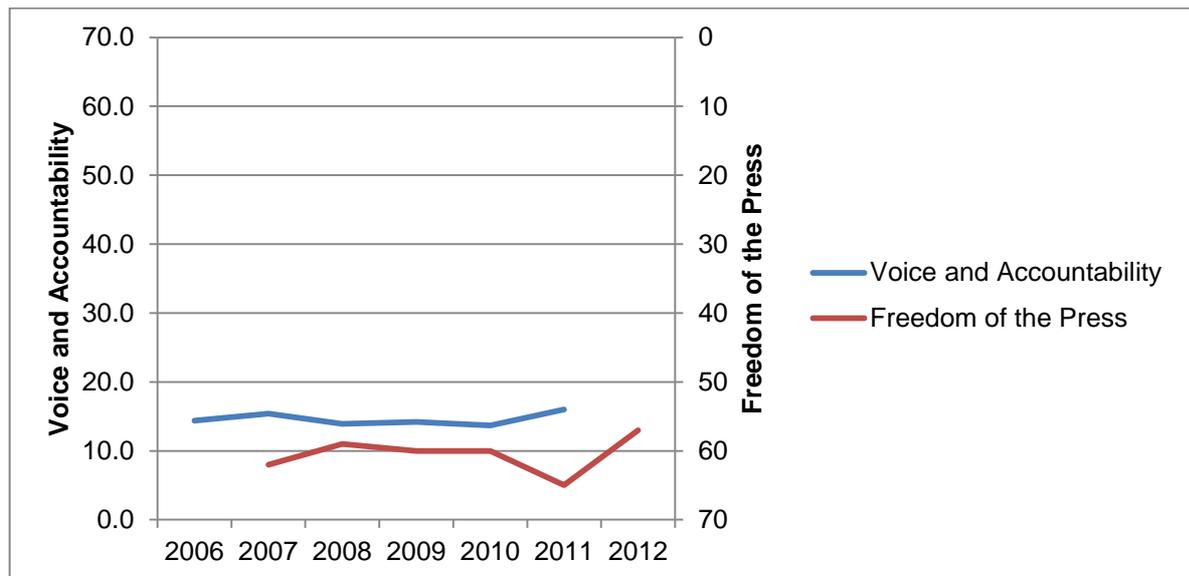
This process is similar to that of donor agencies. According to the donor’s interest, larger local CSOs are often invited to take the lead in the implementation of community-based projects. CSOs implementing these projects are obligated to follow the donor agencies policies and procedures. During implementation, once data has been collected, CSOs begin dialogue amongst stakeholders to share information collected and to consider changes needed. Training workshops and community awareness programmes follow.

## **Media**

All sectors acknowledge that local media plays a vital role in disseminating information, public discussions, and awareness campaigns. Local media is more effective in influencing public perception and reaching the government. If properly utilised, local media can provide a useful channel for promoting social accountability

issues in order to develop a common understanding amongst stakeholders. Data from Freedom House highlights an increase in press freedom in 2012 compared to the previously consistent decline (Figure 4.4). This data is in-line with findings from the research that highlighted the media’s increased freedoms and coverage during and post revolution. The data does not extend beyond 2011, but we would expect to see a continued increase in Voice and Accountability in line with the upward trend.

*Figure 4.4. Voice and Accountability versus Freedom of the Press in Egypt*



Source: World Bank World Governance Indicators and Freedom House Press Freedom Index 2006-2012.

### Rural-urban dynamic

In comparison to urban centres, rural areas seem to have more social accountability practices. This is partially accounted for by the lack of government-led development of these areas. Donors and civil society have been working for years on promoting transparency and information sharing between communities and local government bodies.

While decision-making remains centralised and public engagement is minimal, rural areas in some strategic governorates are taking the lead in understanding the fundamentals of and importance of good governance. In North Sinai, since the revolution, the Al-Gora Association is taking the lead in networking between the Bedouin community and the local government. Understanding that transparency plays an indispensable role in the development and democratisation process, the Association established a local monitoring centre after rumours of a North Sinai infrastructure and development plan, and a budget was submitted to the national government without engaging the community to identify its needs – something common with the previous regime. The recently established centre will work with the local government in ensuring the Bedouins have equal access to information, as part

of their citizens' right to know, to ensure their participation in identifying priority services for North Sinai and monitoring government implementation of these services to their communities.

## 4.5 Lessons Learned

Information sharing is a vital ingredient in the economic, social and political stability of Egypt. But equally important is setting up an open and fair regulatory framework with clear roles and responsibility for both public and private sectors. Local municipalities and districts need to be given extended power to control resources and service delivery that are based on citizen engagement in decision-making processes.

Egypt over the last year has witnessed how citizen engagement can influence political processes. Through organised sectoral protests, people are speaking up and voicing their preferences, opinions, and views, demanding accountability from the government. Although this is an essential building block for accountability, it has been done haphazardly without collaboration amongst stakeholders. Not all civic engagement practices successfully contribute to social accountability and government responsiveness. Different mechanisms and opportunities should be considered beyond the existing mobilisation and communication channels.

It is imperative to also understand that social accountability mechanisms and practices in Egypt are likely to differ from one region to another. For example, border governorates like Sinai and Aswan differ in terms of social and cultural settings from central/strategic governorates around the green belt like Cairo and Alexandria. With national security and the political treaties surrounding these areas, they are purposely neglected in terms of infrastructure and service provision. The current government's continued lack of transparency with regards to the development plans for these governorates remains unclear.

Other governorates, especially the canal governorates (Suez and Port Said), require an approach that focuses on service equality and dialogue between the government and its citizens. These governorates have been economically deprived and underdeveloped; although one of Egypt's largest national income is from the Canal. Economic and social development was never reflected. Even after the revolution, and with the new regime, neglect continues and this has resulted in the ongoing civil disobedience, paralysing existing government systems. In Port Said, SOS balloons have been placed on both sides of the Suez Canal, for the international community to see. This is a clear indicator that, even with the Arab Spring, the government seems to continue to ignore citizens' demands and is not capable of developing dialogue and being held accountable.

Best practices from the private sector on service delivery oversight and audits could be shared amongst stakeholders to further encourage participation and instil ownership. Other levels of participation may include information sharing and awareness/educational initiatives that engage citizens and stakeholders in dialogue, networking and mapping priorities that reach public policy level.

While there are efforts made by some government institutions, such as building a CSO platform for a gender responsive budgeting, an initiative by UN Women with the Ministry of Finance, many people are not aware of them and it still remains to be seen

if these initiatives will be scaled up to a level that will improve the focus of public service delivery. These government institutions need to continue working on transparency, government failure and corruption. Demanding the monitoring of government performance and fostering responsive governance will not be effective without behaviour change programmes. Behaviour change should focus on the culture of social accountability; while at the same time facilitate effective links between citizens and local governments, empowerment of marginalised groups and their needs in policy formulation and implementation.

## 4.6 Egypt Case Studies

### Case Study 1: Saving the pedestrian zone of Cairo's Wall Street

Following January 25<sup>th</sup>, street café culture expanded in the financial district of downtown Cairo. Thirty-two unregistered cafes emerged across three main streets without planning or communication with the local municipality, in an area where millions were spent during the Mubarak regime to create a pedestrian zone. Rather than enter into dialogue with the café to have them formally register, the local municipality attempted to shut them down by making the area an open market place, which created more chaos for the residents. The Egyptian Media Development Program (EMDP), a legacy organisation that provides media training and services, has been working with the local municipality, cafes' owners, and residents of this area, acting a mediating body in an attempt to resolve this issue.

Despite constraints and challenges EMDP produced a documentary to increase public awareness, bringing residents together to be more accountable and facilitate the participation of the government with all the stakeholders. Furthermore, a local newspaper, to be distributed monthly, and report on issues relevant only to downtown Cairo, will be distributed for free to residents and other relevant stakeholders early this spring. "Aside from reporting local news to residents, we will provide relevant local municipality information, and more importantly encourage residents to use the newspaper as a feedback mechanism to respond to the demands of various stakeholders," explained Tarek Atia, Managing Director of EMDP.

EMDP also canvassed the area to identify shared concerns and ways to reach consensus. Based on findings, EMDP developed a citizens' charter for the area, which focused on the main values that all stakeholders agreed upon. "Getting signatures on this charter and publishing it in our first issue of the newspaper is important," continued Atia, "not only are stakeholders taking responsibility but it also shows a change in the role that media can play during this period in Egypt." By having the media take the lead in establishing a mechanism for citizens' engagement as well as follow progress made on outcomes of similar initiatives, social accountability will likely succeeded.

### Case Study 2: The Effective Community Initiative

In 2006, AECOM International implemented the USAID-funded programme REACT, which ran up to 2008. REACT worked on promoting citizen political participation in community development in Menia governorate. Programme activities were sustained

after 2008 by the Together Association for Development and Environment through the Effective Community Initiative.

The objective of the Effective Community Initiative is to improve the quality of life in the governorate of Menia by improving the performance of local popular councils (LPCs) and increasing citizen participation in the decision-making process at the community level. The Initiative has supported over fifty projects in health, education, community development and income.

For each project, a committee of community members, LPC members and local government is set-up to conduct a needs assessment within their community on a priority issue (waste management, sanitation and water treatment, etc.). Planning and implementation takes place with the executive body of the relevant government sector. Once resources are attained and implementation begins, the committee monitors progress.

Working through four local NGOs, LPCs and community representatives are made aware of the role of local government in representing citizens' interest; the right channels through which citizens should raise issues related to public services, social and economic development; and the tools that citizens can use to monitor service delivery improvement. Citizens, especially women and youth, were encouraged to attend public hearings attended by LPCs, local government and community leaders in order to speak up and represent their own interests. Using a participatory approach, prior to the implementation of community related projects, the Initiative trained over forty LPCs trainers to enhance the capacity of civil society institutions and community leaders on social accountability related know-how such as good governance, project implementation, and monitoring the quality of project delivery by government institutions.

Over the years, the Initiative has attracted collaboration with public and private sectors in rural districts in different governorates across Egypt. The focus has always been to increase community participation in improving basic services provided by the government. Along with providing capacity building programs for multi-stakeholders, projects also focused on behaviour change programmes that encouraged ownership and adoption of community-based projects to ensure their sustainability beyond funding availability.

## 4.7 Social Accountability in Egypt SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>- Availability of institutional arrangements to facilitate operations/engagement.</li> <li>- Level of media engagement in social accountability issues during the revolution and since</li> <li>- Evidence of community-led initiatives, especially at local levels, and general interest from CSOs in social accountability issues</li> <li>- Existence of basic laws protecting freedom of information, promoting transparency and anti-corruption</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of social accountability culture amongst people and government</li> <li>- Lack of implementation or enforcement of basic laws relating to social accountability, such as the FOIL</li> <li>- Unclear roles and responsibilities of different government ministries leading to confused lines of accountability between the national level and governorates</li> <li>- Limited evidence of community coalitions to promote social accountability and push government to engage in dialogue</li> </ul>
Opportunities	Threat
<ul style="list-style-type: none"> <li>- Increase in political awareness.</li> <li>- Access to new networks at the national and local levels.</li> <li>- Identified stakeholders eagerness to get involved in future initiatives that deal with social accountability pillars.</li> <li>- Drafting of new laws and legislations that directly affect social accountability.</li> </ul>	<ul style="list-style-type: none"> <li>- Extent to which stakeholders are willing to mobilise their own resources given the current economic crisis.</li> <li>- Inequality regarding access to decision-makers within the government/public sector.</li> <li>- Capacity of institutions to support participation of different stakeholders.</li> <li>- The potential for corruption in the CSO sector</li> <li>- Access to strategic geographical areas without the support of strong CSOs.</li> </ul>

## 5. Social Accountability in Jordan

### 5.1 The Context of Social Accountability in Jordan

Our research shows that social accountability in Jordan is understood as an approach to governance by which citizens and non-state actors hold government institutions accountable for their performance. The concept has stood at the heart of the national reforms launched by King Abdullah II since the early 2000s to modernise Jordan's political and economic systems, such as "Jordan first" (2002-2003), the National Agenda 2006-2015 (2005) and "We are all Jordan" (2006). All three initiatives emphasised the role accountability, and correlated principles such as transparency and good governance, could play in building trust between citizens and the state; promoting democracy, improving public services and contributing to economic development, social welfare and security. Accountability – in the sense of governance reform, rather than specific to "social accountability" – was to be promoted through a series of legal steps aimed, inter alia, at making the parliament more representative, strengthening the governmental administration by making it more transparent and financially stable, renewing the fight against corruption at all levels, empowering the judicial administration, enhancing the role of civil society institutions and facilitating access to information.<sup>21</sup>

However, despite the enactment of apparently liberal laws (including the law on access to information - see below) and constitutional reforms, Jordan's reform drive has not (yet) reached its goals; more specifically, adequate social accountability standards remain, as perceived by most Jordanians, including our panel of respondents, as hardly attainable under the current circumstances. In this respect, the Arab Spring, and its repeated calls for reform towards a more participatory democracy, has revealed the frustrations caused by unmet expectations as much as they have underscored the deep-rooted lack of accountability within Jordan's socio-political system. In 2005, the National Agenda had cautiously emphasised challenges to rapid political reforms in Jordan, including regional instability, large budget deficits and fluctuant world and local economic conditions. To a large extent, these cyclical challenges have since then been accentuated by the deterioration of security and economic conditions in several of Jordan's neighbours and the world financial/economic crisis of 2008.

Such a troubled context is commonly presented as the main reason for the prevalence of security concerns over reform issues being on top of Jordan's national agenda. It also explains the relative domination of Jordan's political scene, at national and local levels, by members of the security services and of the traditional political establishment. Created by the regime to protect itself, such "rentier" political elite has been reluctant to any significant regime change, fearing that it would jeopardise the country's stability as well as their material and financial privileges.<sup>22</sup> Many members of that conservative elite have made it to Parliament and into the Government over the years, imposing restrictive amendments on such liberal laws related to freedom of opinion and to civil society

<sup>21</sup> See "Jordan First", <http://www.jordanembassyus.org/new/aboutjordan/er1.shtml>; the "National Agenda" and "We are All Jordan", [http://kingabdullah.jo/index.php/en\\_US/initiatives/view/id/4.html](http://kingabdullah.jo/index.php/en_US/initiatives/view/id/4.html)

<sup>22</sup> See Muasher, Marwan, *A Decade of Struggling Reforms in Jordan*, The Carnegie Papers, May 2011, <http://carnegieendowment.org/2011/05/11/decade-of-struggling-reform-efforts-in-jordan-resilience-of-rentier-system/1gf>

organisations. Hence the widely held opinion amongst opposition and civil society voices that the regime’s drive toward democracy and accountability is no more than a series of short-term concessions, meant to appease the Western donor countries. The challenges currently met by the countries in the Arab World that carried out regime changes during the “Arab Spring”, such as Tunisia and Egypt, has reinforced the traditional elite’s position.

Members of the political establishment (including amongst reformists) also ascribe Jordan’s slow reform drive and a severe lacking in leadership accountability to its deep social and political fragmentation along ethnic, socioeconomic and cultural lines: “Jordanians of Palestinian origin” versus “native Jordanians”, urban Jordanians versus “Bedouins”, “native Jordanians” amongst different tribes, etc. Such fragmentation, together with the continuous control exerted by the security sector, is said to have contributed to preventing a genuine civil society and political party-system from taking off and operating as counterparts to the state.<sup>23</sup> As an official of the Ministry of Political Development put it: “We have civil society institutions and political parties, but no civil society and no multiparty democracy”.

## 5.2 Perceptions of Social Accountability in Jordan

The “Arab Spring” has, since 2011, revealed the aspirations of many Jordanians, whatever their ethnic origin, political creeds and socioeconomic status, for a genuine democratic system based on increased transparency, improved governance, and enhanced accountability of Jordan’s leadership. Triggered by the deterioration of economic conditions and/or by political frustration caused by the stalled democratic process, hundreds of demonstrations organised by opposition parties and/or new informal pro-reform groups across the country have pinpointed the state’s poor governance, rampant passive (string-pulling) and active corruption at all levels and the relative unaccountability of its administration. Even the country’s most protected taboo, the King’s privileged status as the unaccountable inspirer of the country’s policies and orientations, the maker and de-maker of governments and parliaments in which the constitution vests the executive and legislative powers, has been questioned.

**What do you understand by social accountability in Jordan?**

- Transparency
- Good Governance
- Accountability
- Social and Political Citizenship
- Government responsiveness

There are very few local Jordanian institutions familiar with standard social accountability tools (as listed in Annex 5) and capable of implementing them. For that matter, the majority of CSO respondents had never heard of the concept of “social accountability” before.<sup>24</sup> However, when explained what social accountability meant, most CSO respondents admitted that their activities could be directly or indirectly related to it.

<sup>23</sup> The principle of free elections and of a political party system have been addressed in Jordan since 1989.

<sup>24</sup> Conversely, most Jordanian respondents working for international agencies and royal NGOs said they had already been exposed to it.

Ultimately, as many of them put it, it all boiled down to fostering a sense of social and political citizenship amongst Jordanians (especially within the marginalised communities) and improve the country's overall governance.

Social accountability as a process leading to holding state authorities accountable to non-state actors is understood as taking place at two complementary levels. First, the long-term educational level, whereby populations are gradually empowered through standardised collective educational/mobilisation tools designed to encourage their participation in the country's public life as fully-fledged citizens. This level of social accountability has been tackled by few foreign and local developmental agencies since the early 2000s, without being properly evaluated. Secondly, the demand driven level, whereby citizens, CSOs, trade unions and private companies attempt, in a more or less organised manner, to directly make the government more responsive to issues of public concern, through various mobilisation approaches. This section investigates that level of social accountability.

### 5.3 Pillar Analysis

Respondents pointed to two areas of concern that were lacking on most non-state actors' agenda: the first area was financial transparency. Beyond unifying slogans against the spread of corruption, little had been done in terms of affirmative (or constructive) action against it, either because of the prevalence of active and passive corruption within the Jordanian society, or because of the highly complex issues involved. In this respect, it was sometimes noted that the vast majority of Jordanians are exempt from income tax. The second area relates to community monitoring of public services. Obstacles here may reside in the CSOs' lack of knowledge and familiarity with community participatory techniques, and more generally, with the absence of a monitoring and evaluation tradition (and legal framework) in Jordan.

Figure 5.1. Jordan – Baseline Status of Pillars

	Access to information	Freedom of association	Financial transparency	Citizen-led monitoring
Relevance (rank 1-4, with 1 as priority)	1	2	3	3
Status of legislation	<p>Access to Information law no.47 of 2007 – the only one in the Arab world (amended 09/12 to include foreign residents in Jordan).</p> <p>Information Systems Cyber Crime (temporary) law, August 2010.</p> <p>Press and Publication law no.32 of 1998 (last amended in September 2012).</p> <p>Relevant international resolutions signed by Jordan</p>	<p>Relevant articles of the Jordanian constitution</p> <p>Labour law, no.8, 1996.</p> <p>Law on Professional Associations of 2005</p> <p>Law on associations of 2008 amended in 2009.</p> <p>Law on Charitable Societies no.36 of 1953.</p> <p>Law on Cooperation Societies no.17 of 1956.</p> <p>Relevant international (ILO) resolutions signed by Jordan/</p>	<p>Anti-Money Laundering Law no.46, 2007</p> <p>Regulations of Anti-Money Laundering and Terrorism Financing (Circular no.29/2006)</p> <p>Anti-Corruption Commission Law, no.62, 2006.</p> <p>Anti-Money Laundering Law, no.46, 2007</p> <p>Financial Disclosure Law (no.54), 2006</p> <p>Yearly budget laws -United Nations Convention against Corruption (ratified in 2005).</p>	<p>Participation of communities in public services (including monitoring and evaluation) has been promoted by the Jordanian authorities although more as a “slogan” than as an implementable policy.</p>
Effectiveness of legislation	<p>Opportunities provided by the implementation of the 2007 law on access to information not been embraced and its application has been compromised.</p> <p>Reduced media restrictions</p> <p>Extra informal restrictions</p>	<p>Legislative restrictions strictly applied.</p> <p>Lack of coordination, shortage of funds and general distrust from the government.</p> <p>Politicisation of CSOs, in particular the professional associations.</p>	<p>Corruption investigation bodies are understaffed and controlled by state authorities.</p> <p>Jordanian businesses lack transparency; [financial] statements are unprofessional and unaudited</p>	<p>Monitoring and evaluation integrated as principles in project implementation plans.</p> <p>The concept is used in the authorities’ reform discourse, but big problems regarding implementation.</p>

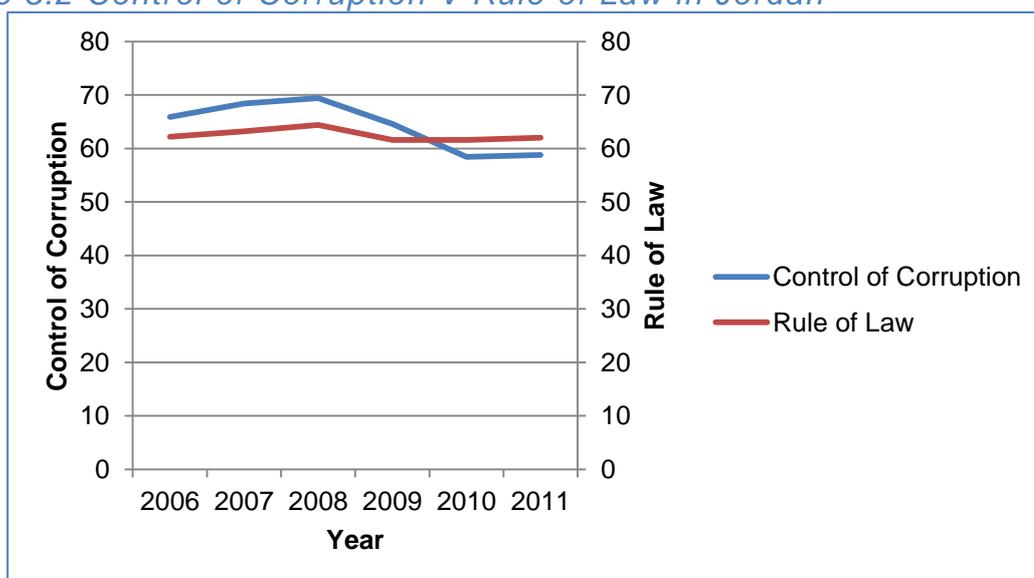
## i. Access to Information in Jordan

Access to information was considered by many respondents as one of the main pillars of social accountability, and a necessary condition for the realisation of its three other pillars: freedom of association, financial transparency and citizen/community monitoring of public services. ANSA-AW has defined access to information in relatively broad terms, including both the right to access information held by state administration (see private companies and non-governmental organisations), but also freedom of the media to collect and disseminate information on matters of public concern. Including freedom of media as a component of social accountability is relevant in a country like Jordan, where newspapers and electronic media, instead of state administration, have traditionally constituted a primary gateway for such information.

### *Access of individuals to information*

Jordan is the first country in the Arab World to have enacted a law securing the right to access administrative information (law no.47 of 2007). This breakthrough was initially considered a first step towards the gradual dilution of the culture of secrecy, which is said to pervade public administration and, ultimately, renewed state/society relationships based on transparency, accountability and trust. However, five years after its implementation, the law has failed to be successfully implemented (less than ten successful requests in five years ultimately proving to be no more than “a cosmetic instrument aimed at comforting Jordan’s reputation as a democratic country” or, worse, “a means of guaranteeing non-access to information” as several respondents put it. The research team has analysed data regarding rule of law and control of corruption, on the assumption that the information law ultimately should lead to an improvement in rule of law and control of corruption. As Figure 5.2 illustrates, this is not the case, which supports findings from the field research that the law is being inadequately implemented.

Figure 5.2 Control of Corruption V Rule of Law in Jordan



Source: World Bank World Governance Indicators 2006-2012.

The reasons for such a failure highlight the weak relationship between state and society in Jordan, which are the absence of consultation with civil society institutions and the media sector before the enactment of the law, resulting in a sizeable proportion of Jordanians remaining unaware of its existence; significant restrictions to the implementation of the law based on the nature of the information sought and the motivations of the information seeker;<sup>1</sup> and a complex and lengthy procedure (about 60 days) comprising the approval of the request by a commission composed of representatives of no less than eight governmental institutions, including the conservative Ministry of Interior and the Director of Moral Guidance at the Armed Forces; the civil society is represented by the sole Human Rights Commissioner General. The refusal of the royal committee in charge of the reform of the constitution to institutionalise the right of access to information as a constitutional right in September 2011, despite pressures from civil society institutions, betrays the limited value ascribed by Jordan's authorities to it.

In practice, information seekers, and more specifically journalists,<sup>1</sup> usually rely on informal contacts they have within public administration departments to obtain the needed information. It remains to be seen whether the minor amendments passed in 2012 by the former Parliament (reducing the delays in getting the information required and enabling the foreigners to benefit from the law) will make it more efficient (or useful).

Compared to its neighbouring countries, Jordan's media benefits from relatively liberal conditions, as reflected by its pluralistic media scene. In particular, social networking sites have mushroomed in recent years, enabling young Jordanians to participate fully in political debates. Yet, the relationships between the authorities and the media sector have generally been tense, as the former has regularly invoked the preservation of Jordan's interests –sometimes the journalists' poor professional skills- to control the media. This appears clearly in one of the most recent amendments to the constitution (September 2011). The right to freedom of opinion and freedom of the press is acknowledged by the new constitution, but only *within the limits of the law* (article 15).

The "limits of the law" referred to in article 15 of the constitution are laid out in the Press and Publications Law. Restrictions are spelled out in relatively vague language, thus enabling authorities to freely modulate them at will. While article 5 instructs publications "to show respect to the truth, and refrain from publishing any material that runs counter to the principles of freedom, national obligation, human rights and Arab-Islamic values", article 8 invites the journalist to be "balanced, objective and fair" and "refrain from publishing whatever material bound to stir violence or inflame discord of any form among the citizens."

Another significant limitation to the freedom of the press pertains to the King's protected status: Jordan's penal code criminalises any criticism against the King and the royal family (crime de lèse-majesté). Methods used by the authorities to implement such legislation have varied, ranging from repression of critical journalists (physical attacks, intimidation, payment of fines or detention, either for articles critical of the royal family or for alleged defamation); administrative constraints (bans on publication, closure of offices, etc.), and "soft" corruption, whereby journalists are offered financial or material advantages in exchange for their silence or for positive reports; this method

of co-optation is also said to be also used, to a lesser extent, by private sector companies, civil society organisations and political parties. The authorities' most remarkable achievement in its attempt to dominate the media is said to be the self-censorship (97%) exerted by a vast majority of journalists for fear of retaliation.

The authorities' attempts to control the media have been met with fierce and vocal opposition by the Journalists' Association, national and international watchdog organisations, and the "pro-reform" camp in general. However, while some legislative battles have been won (for instance journalists accused of harming the security of the state are no longer tried by the anti-terrorist State Security Court, but by a civil court), the authorities' grip on the media remains firm. Displaying its strength, in 2012 the conservative parliament amended the Press and Publication Law so as to extend its purview over what has been held as the most vibrant political forum in Jordan: the internet.

## ii. Freedom of Association in Jordan

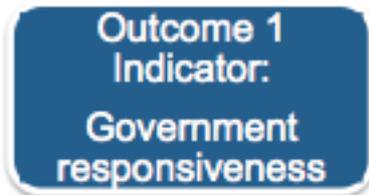
Acknowledged by the constitution of 1952 that grants the Jordanians the right to peaceful societies and political parties, civil society organisations (CSOs) have mushroomed over the years, particularly since the advent of the Arab Spring in early 2011. Comprising grassroots community-based organisations (CBOs) and more or less specialised national non-governmental organisations, their number currently exceeds 3,000 (for a Jordanian population of only 6.2 million). Such an extensive network may at first sight illustrate a high degree of civic engagement amongst Jordanians and a rich state-society dialogue.

Yet, the overall impact of the CSOs on the country's policies is unanimously said to be poor, partly due to lack of cohesion, common strategy and vision, as well as internal administrative and operational deficiencies. Most CSOs outside Amman are said to be primarily tribal or family-based and mostly oriented towards the provision of basic services to their community; in addition, their administrative structure is often weak. Conversely, those few (less than one-hundred) engaged in civic action and human rights advocacy are said to be mainly concentrated in Amman (close to their Western donors' offices, as several respondents ironically put it) and are said to have little outreach in rural areas. Ultimately, as veteran CSO members put it, these challenges stem from a declining sense of civic engagement and volunteering spirit within the Jordanian population. Jordan's fossilised political system bears the prime responsibility for that.

The Jordanian state is mainly criticised for its heavy interventions on the CSO sector. The new law of Societies no.51 of 2008/09, while making it easier to establish CSOs, maintains previous constraints on the freedom of association. For instance, it requires registered CSOs to submit annual plans to the government; allows the government to temporarily replace their board with state functionaries in case of mismanagement; prevents them from engaging in political activities; and conditions any foreign financial support to governmental approval. The tensions arising from these restrictions are said to have thwarted all efforts to foster sustainable cooperation between the government and the CSOs. Social activists also point to deficiencies within civil society; poor

financial and human resources and unfair competition for foreign funds by the subsidised and more sophisticated “royal NGOs” (the “Rongos”). Their activities are valued, but they are nonetheless said to deprive the local CSOs.

## 5.4 Social Accountability Practices



### Government

However, in the absence of any credible political alternative and amidst a troubled “(post-) Arab Spring” context across the Middle East, the Hashemite regime has survived: the King remains considered the symbol and guarantor of the country’s unity and stability. Keen to build on the criticisms sprung from the Arab Spring movement, he has not only resorted to a usual tactic - sacking executive and legislative authorities for incompetence to abate popular discontent - but has also engineered constitutional and legal amendments aimed at enforcing state institutions’ political and legal accountability, including: the establishment of independent bodies to monitor the constitutionality of laws and regulations (constitutional court) and to oversee elections (elections committee); the enhancement of civil liberties, notably through the principle of criminalisation of any infringements to public rights; the qualified securing by the state of the freedom of opinion and freedom of the press (within the limits of law); and the reform of the Public Gatherings lawfully legalizing demonstrations;<sup>25</sup> the limitations of the much dreaded state security court’s jurisdiction to strictly-defined state security issues; and, as a measure of financial transparency, the publication on the internet of the Audit Bureau’s annual report and of the state’s general budget and accounts.<sup>26</sup>

Furthermore, since early 2013, King Abdullah II has indicated his will to pursue the reform drive for increased accountability. In widely disseminated discussion papers and press interviews, he acknowledged a huge resistance to change, but reasserted his strong support for a genuine accountability reform process involving the transparent management of public funds, citizens/civil society institutions monitoring of the government and the parliament, and the enhanced involvement of Jordanians in the country’s public life, either through a direct dialogue with public figures and the media, or through participation in community groups to organise community action about local issues.<sup>27</sup>

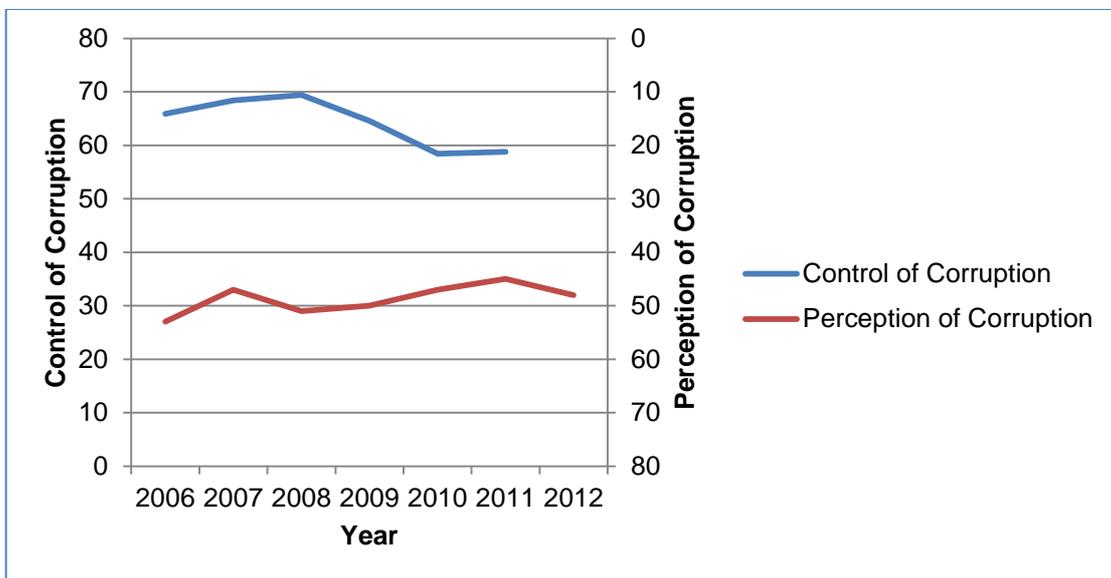
<sup>25</sup> Previously, permission to organise demonstrations was requested; now a simple notification is sufficient.

<sup>26</sup> The King also relinquished some of his powers, for example, the selection of the Prime Minister being transferred to the Parliament.

<sup>27</sup> Interview with His Majesty King Abdullah II, Samir Hiyari and Samir Barhoum For: Al Rai and The Jordan Times, 5 December 2012 [http://kingabdullah.jo/index.php/en\\_US/interviews/view/id/501/videoDisplay/0.html](http://kingabdullah.jo/index.php/en_US/interviews/view/id/501/videoDisplay/0.html) and Discussion papers, “Our journey to forge our path towards democracy”, By Abdullah II ibn Al Hussein, 29 December 2012, [http://www.kingabdullah.jo/index.php/en\\_US/pages/view/id/247.html](http://www.kingabdullah.jo/index.php/en_US/pages/view/id/247.html). In order to institutionalise his “justice and accountability drive” within the public sector, he set up in December 2012 a 12-member “Integrity Committee”. Headed by the Prime Minister and composed of high rank governmental officials, the Committee is asked to

Social and political activists who met during the preparation of the report warmly welcome these statements, but acknowledge that they are way ahead of what Jordan’s society can actually achieve. As a matter of example, the liberal legislative policies pursued in 2010 by the Parliament, notably in the field of the (electronic) media, have been followed by restrictions of public liberties and renewed crackdowns on pro-reform demonstrators. And the newly elected Parliament (January 2013) is, as its predecessors, believed to primarily represent tribal or private business interests, rather than true political platforms. Indeed, data from the World Bank and Transparency International suggests that there is a correlation between increased corruption controls and decreased perceptions of corruption. In 2010, corruption controls began to improve and we see a correlated improvement in the population’s perceptions of corruption.

*Figure 5.3. Control of Corruption versus Perception of Corruption in Jordan*



Source: World Bank World Governance Indicators and Transparency International, Corruption Perceptions Index, 2006-2012.

Moreover, social accountability in Jordan, and in most Arab countries, ultimately relies less on institutions, laws and policies than on the diffusion, through civic education and enhanced national dialogue, of a shared political culture across the various segments of society. In this respect, one of the major positive consequences of the Arab Spring is the informal –sometimes uneasy- dialogue that has taken place between the “Jordanian street” and the state, and the ensuing promotion of accountability-related issues on top of Jordan’s national agenda.

**Outcome 2 Indicator: Civil society voice**

**Civil Society**

Public monitoring agencies, identify issues and provide recommendations that institutions.

In our respondents' words, Jordan's political and social environment is not conducive to the establishment of legal procedures enabling leading citizens to participate directly in the state's decision-making processes. First, the concept of "state" is rather elusive. The cornerstone of the political system, namely the King, is *de jure* unaccountable. As for the government and the Parliament, their existence hinges primarily on the approval of the King, who can, and indeed does, revoke them at will: since late 2009, Jordan has had six, soon to be seven, Prime Ministers. The dearth of efficient channels for popular claims and grievances, such as a strong multi-party system and a truly representative parliament, further complicates matters. Second, procedures conducive to the participation of CSOs in the policy-making process hardly exist.<sup>28</sup> Yet, Jordan is no exclusionary "bunker" or "bully" country, as Baathist Iraq and Syria were once labelled. In fact, political governance is a balancing act between Jordanians of various political trends, the balance tipping in general in favour of the conservative streams of society. Nevertheless, this has made it possible for non-state actors exact accountability from government and successfully influence its decisions and policies.

The Arab Spring movement (*hiraq*) composed of a heteroclite coalition of Islamists, leftist parties, local pro-reform groups,<sup>29</sup> and tribal youth movements, the movement has, since early 2011, taken to the streets and pushed for rapid reform measures or programs. While the financial transparency and accountability of the public sector have emerged as a common denominator, socioeconomic concerns have prevailed in rural governorates, where poverty and unemployment rates are comparatively higher and political issues such as the reform of the electoral law and democratic governance have prevailed in urban centres such as Amman and Irbid. So far, the reforms the *hiraq* has managed to obtain, through demonstrations and free interventions through the internet, from the government are relatively significant; they include the right to assembly, judicial reforms, and the publication of state accounts. However, crucial issues remain to be addressed, such as the reform of the electoral law, improved anti-corruption strategies, enhanced freedoms of expression and association, and electoral law.

The other cases of successful pressure on the government mentioned by our respondents are more sectoral, namely: the Teacher's social movement that resulted in the official establishment of the Teacher Union in 2011/2012 (see "case studies"); the university student campaign "Dabahtouna" ("You slit our Throats") that successfully opposed the government's decision to increase university fees (see "case studies" section); the Chamber of Industry that countered a sales tax initiative it deemed financially detrimental to the enterprises' interests; the media outcry against articles imposing harsh censorship on websites in the cyber-crimes draft law of 2010 that led to the withdrawal; and finally Princess Basma's personal pressures on the government are said to have been instrumental in the adoption of a national "youth strategy".

CSOs were found to be most likely to utilise social accountability tools. For instance, the umbrella institution for all local charity organisations, the Union of Voluntary Associations,

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<sup>28</sup> When a channel is opened at the initiative of a state agency, most recently the Anti-corruption Commission, they invite CSOs to contribute to the policy-making process but frequently find that these CSOs fail to work with each other constructively.

<sup>29</sup> Several of the new informal groups carry the name of their town or neighborhood: Capital Amman Free movement, Hay al-Tafayleh Free Movement, Dheiban movement, Ajloun Movement, etc.

acknowledges using social accountability tools, such as seminars for civic education, public hearings with CSOs, citizen complaint structures and dissemination of checklists of entitlements. In addition, the union also uses such participatory tools as multi-stakeholder groups and participation planning sessions with its members. Human development institutions that mainly operate within vulnerable populations (often amongst farmer communities) obviously use a wider array of tools. The UNDP that was tasked by the United Nations as its main agency for democratic governance support purposes in Jordan trains CSOs in using most of the existing standard accountability and integrity tools as described in the questionnaire. In addition to the above-mentioned tools, it also tackles the use of needs assessment surveys (community scorecards and citizen report cards), operates financial transparency instruments (public audit, declaration of assets and integrity pacts), and promotes the right to information. Another new accountability tool increasingly promoted by the UNDP to mobilise the media and the general public about neglected social issues is social media – in particular Facebook is used as an interface with the Jordanians.<sup>30</sup>

Yet, these efforts have, to our knowledge, never been properly evaluated, especially with regards to their long-term consequences on the citizen-community/state relationships. Social accountability initiatives at community-level would gain from being coordinated, submitted to monitoring and evaluation procedures, and presented to policy-makers and the general public in the form of a unified database platform.<sup>31</sup>

In recent years, other CSOs operating as “research/advocacy centres” engaged in the promotion of political/human and socioeconomic rights have launched sustained initiatives designed to hold the government accountable to the general public for their performance. Compared to more established non-state actors that have challenged governments, such as the professional associations or the National Centre for Human Rights (NCHR), these CSOs are neither affiliated to parties (such as the former) nor are they directly affiliated to the state (such as the latter).<sup>32</sup> Encouraged by the deterioration of the economic and social climate in Jordan, then by the advent of the Arab Spring, they have endorsed the role of watchdogs, scientifically monitoring and evaluating the accountability of such state institutions as the Parliament, the security forces<sup>33</sup> and the government and its financial,

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<sup>30</sup> Other major stakeholders using several standard social accountability tools include USAID, whose civil society program uses social accountability tools designed to provide information (including promotion of right to information) and empower communities through community participation exercises. Royal NGOs also play an important role in this field. For instance, the Princess Basma Youth Resource Centre seeks to empower young Jordanians through civic education and participatory planning and community-led procurement exercises. The community scorecards approach is also used to assess youth needs and unmet needs.

<sup>31</sup> Lack of monitoring and evaluation also characterizes community participation schemes that are carried out outside Amman in several governorates and municipalities. Consultative Councils including key personalities from the civil society (unions, tribes, businessmen, NGOs. etc.) gather regularly and may influence local government and provision of services.

<sup>32</sup> The NCHR started as a Royal NGO before being turned in 2006 into an autonomous “human right” face of the state, exposing government’s breaches of humanitarian law and responding to complaints and requests for assistance, see [www.nchr.org.jo/english/](http://www.nchr.org.jo/english/)

<sup>33</sup> See the “Jordanian Parliament Monitor” and the “Jordanian Media Monitor: run by the Jerusalem Centre for Political Studies, see: [www.jpm.jo/index.php?type=pages&id=26](http://www.jpm.jo/index.php?type=pages&id=26); [www.alqudscenter.org/english/pages.php?local\\_type=122&local\\_details=1&id=258](http://www.alqudscenter.org/english/pages.php?local_type=122&local_details=1&id=258)

reform and social policies.<sup>34</sup> They have also monitored general elections<sup>35</sup> and followed the evolution of the state's behaviour towards the labour union movement.<sup>36</sup> Mainly subsidised by international donor agencies, these CSOs also use standard social accountability tools, such as civic education and community dialogue through the organisation of training sessions, public hearings, and seminars.

The voices “from below” are believed to have contributed to firmly establish the notions of social accountability, transparency and freedom of expression within Jordan's public sphere. As stated by several respondents, one can already notice positive changes in the government/citizen relationship since the outbreak of the Arab Spring: there is more respect on the government side and more freedom of expression on the citizen side. Yet, they also concur that social accountability in Jordan would gain from more cooperation amongst the various CSO actors and between the latter and other state and non-state actors, the private sector enterprises in particular. The resulting cohesion would foster sufficient momentum to federate reform claims “from below” and translate them into enforceable claims on the national agenda.

## Trade Unions

The reform of Jordan's labour administration illustrates the influence international actors (including foreign NGOs) can have in Jordan. The reform of Jordan's worn-out labour services, as recommended by the ILO and human rights groups, had long been considered a marginal issue by the Jordanian authorities. In 2006, the National Labour Committee, a human rights advocacy group based in New York, released a report about the working conditions in Jordan's Qualifying Industrial Zones (QIZ) factories. The report alleged serious violations of national and international laws against workers (mainly Asian female workers), including unlawful withholding of passports, non-payment of wages and overtime, and physical and sexual abuse.<sup>37</sup> The bad reputation the report gave to Jordan in the United States, a major donor country, and world-wide prompted the government to improve labour standards with the recognition that such improvements are “fundamental to the future development of the country”.<sup>38</sup>

## 5.5 Lessons Learned

The examples of civil society's successes allow for the following observations. The impact of non-state actors on the government is the greatest in two types of contexts: First, when the authorities feel under threat because their legitimacy and/or their governance is being seriously questioned by large and strong social/political movements (e.g. the “Arab Spring” and the teachers' movements) or by major Western donors. Second, when the authorities are made to believe that reform may give them greater legitimacy and strengthen their

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<sup>34</sup> See the “Jordan Reform Watch” that evaluates (1-10 scale) several aspects of the governmental performance, see [www.reformjo.net](http://www.reformjo.net)

<sup>35</sup> See “Elections Monitoring”, [www.hayatcenter.org/ProjectDetails.aspx?P=0&L=0&C=2#](http://www.hayatcenter.org/ProjectDetails.aspx?P=0&L=0&C=2#).

<sup>36</sup> See “Jordan Labour Watch”, <http://www.labor-watch.net/en/>

<sup>37</sup> See full report in: <http://www.nlcnet.org/article.php?id=10>

<sup>38</sup> See Ministry of Labour, *Labour Administration and Compliance in Jordan*, February 2008 ([www.jordanembassyus.org/new/LaborAdministratenandComplianceinJordanFinalLT.pdf](http://www.jordanembassyus.org/new/LaborAdministratenandComplianceinJordanFinalLT.pdf)).

power: this has been, according to veteran social actors, the drive behind the official governmental adoption of several liberal social policies, from the establishment of the National Aid Fund in the late eighties, to the easing of regulations related to the establishment of CSOs in 2009.<sup>39</sup> The social and political status of civil society initiatives' leaders may also be a decisive factor. Being a popular and/or noted figure (leader of the teachers' movement) and/or being connected to members of the government (President of the Chamber of Industry) or being part of the royal family (Princess Basma) is undoubtedly an important asset.

Finally, international donors emerge as potentially crucial players on Jordan's social and political scene, providing crucial technical and financial assistance to the CSOs ("too often blindly and unconditionally" as some respondents put it); they have also started playing an important, yet, informal role in promoting the CSO's rights and interests vis-à-vis the government. For instance, the European Commission and USAID are, together with human rights watchdog organisations, actively supporting the petition launched by the Tamkeen Centre for Legal Rights (a foreign labour rights advocacy group), to reverse the government's unexplained decision in July 2012 to block a substantial foreign donation from a Swiss NGO. At a more general level, the EU delegation has been recently encouraged by the government to act as an unofficial "bridge" with CSOs by briefing them about the official discussions they hold on social issues.

## 5.6 Jordan Case Studies

### Case study 1: The creation of the Teachers' Union

In 2011/2012, the school teachers from the public sector succeeded in compelling the government to accept their unionisation as a professional association, thirty-four years after their first unsuccessful request. Such achievement entails not only a better promotion of the teachers' interests, but also the emergence of a new political actor on Jordan's political scene. Unlike worker unions, professional associations (professional unions in Arabic) are fully independent trade corporations that have played, and continue to play, a crucial role in Jordan's political scene, mainly as opposition groups. The associations' political clout stems from the fact that they have been one of the only venues for political militancy during Jordan's martial law period (1967 - 1989).

The characteristics of the teacher population -large numbers, over 120,000, a majority of who are sympathetic to the Muslim Brotherhood- explains the authorities' decades-long refusal to accept the unionisation. The "insulting" words hurled by the Minister of Education at teachers representatives reapplying for an authorisation in early 2010, amidst a tense context marked by deteriorating socioeconomic conditions ("teachers should take care of their appearance and shave their beards before demanding the

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<sup>39</sup> Maintaining the movements' achievements is another challenge. As indicated above, the authorities' balancing act between liberal and conservative strands has often entailed spectacular reversals of decisions. For instance the liberal attitude adopted by the authorities towards electronic media when restrictive articles of the cyber-crime law of 2010 were withdrawn was followed in 2012 by restrictive amendments to the Press and Publication law limiting the freedom of internet sites.

establishment of an association”) seems to have been the catalyst that sparked the teachers’ industrial action: repeated strikes and petitions across Jordan and massive advocacy campaigns, endorsed by many human rights CSOs, demanding higher wages and an autonomous union.

The authorities did not give up easily and initially tried to defuse the teacher’s action through various means, including intimidations and forced early retirement of senior staff. But to no avail: the Arab Spring gave it new impetus and by late 2011, the teachers’ association was officially recognised and held its first council meeting in April 2012. Unsurprisingly, most of its prominent members are affiliated to the Muslim-brotherhood and have participated en masse in the protest movements that have swept Jordan in November 2012.

### Case study 2: The *Dabahtoon*a campaign

The *Dabahtoon*a (“You slit our throats”) campaign was launched in 2006/2007 by university students, in order to counter the government’s decision to raise tuition fees. Although the campaign is supported by students from all political streams, its main coordinators are members of the leftist “al-Wihda” party.

Over the years, *Dabahtoon*a has gained much traction. Although still coined as a “campaign”, it has established itself as a central and vocal mouthpiece for student grievances and concerns, gradually covering all issues related to university life, such as tuition fees, violence among and against students, registration regulations, political activities and university elections. In doing so, it has become an indispensable counterpart for higher education stakeholders, including government and university administration. In this capacity, it has repeatedly sought to hold such public institutions accountable for alleged misdeeds, accusing, for instance, the former of unduly withdrawing its financial support to universities and questioning the latter’s dubious handling of student elections.

*Dabahtoon*a’s coordinators mention as their main accomplishments: the freezing of the government of tuition fee increases; the wide echo their annual reports and public events have enjoyed in the media over the years; and a few specific cases (closure of private universities for instance) when strikes and sit-ins resulted in the students’ ability to complete their studies in decent conditions

*Dabahtoon*a’s success may first be explained by the gap they fill as the only institution operating in the field of students’ rights. Respondents also mentioned their the high quality of their work; whilst its team of several hundreds of volunteers have kept focused on university issues, thus avoiding get diverted in ulterior political matters.

## 5.7 Social Accountability in Jordan SWOT Analysis

Strengths	Weaknesses
<p>Freedom association</p> <ul style="list-style-type: none"> <li>- Large number of CSOs (over 3,000s) more or less active as a potential force.</li> <li>- More activity since the advent of the Arab Spring and more interest in good governance.</li> </ul> <p>Access to information</p> <ul style="list-style-type: none"> <li>- Media Institute trains journalists for excellency.</li> <li>- More general increased awareness of social and political rights since advent of Arab Spring</li> <li>- Increased organised pressure on public services</li> </ul>	<p>Freedom association</p> <ul style="list-style-type: none"> <li>- Poor human and financial resources (often tribal/family based).</li> <li>- Lack of coordination amongst CSOs. Funds driven and resulting competition.</li> <li>- Most CSOs focused on delivery of services, much less on human and political rights, gender issues etc.</li> <li>- Volunteering spirit barely existing in Jordan.</li> </ul> <p>Access to information</p> <ul style="list-style-type: none"> <li>- Unawareness of laws and their potentialities.</li> <li>- Self-censorship and low quality of several websites.</li> </ul> <p>Monitoring</p> <ul style="list-style-type: none"> <li>- “Rentier” spirit and full dependency on public services.</li> <li>- No familiarity with participatory techniques; no monitoring and evaluation tradition.</li> </ul> <p>Social accountability methods Limited: no M&amp;E procedures.</p>
Opportunities	Threat
<p>Freedom association</p> <ul style="list-style-type: none"> <li>- Several governmental agencies (such as the Anti-Corruption Commission) willing to work hand in hand with CSOs.</li> <li>- Financial, technical and, more recently, political support from western donor countries</li> <li>- Support from local and international watchdogs.</li> </ul> <p>Access to information:</p> <ul style="list-style-type: none"> <li>- Greater financial transparency</li> <li>- Publication of state’s financial documents (budget, Audit report.) since the outbreak of Arab Spring.</li> </ul> <p>General</p> <ul style="list-style-type: none"> <li>- Support from local and international watchdogs in favour of media.</li> <li>- Pillars of Social Accountability on the agenda of the new parliament.</li> </ul>	<p>Freedom association</p> <ul style="list-style-type: none"> <li>- Mistrust of the state and its security services.</li> </ul> <p>Access to information</p> <ul style="list-style-type: none"> <li>- Restrictive law of access to information and other laws.</li> <li>- Material and physical constraints on journalists.</li> </ul> <p>Monitoring</p> <ul style="list-style-type: none"> <li>- No familiarity with participatory techniques; no monitoring and evaluation tradition.</li> <li>- No legal framework for such activity.</li> </ul>

## 6. Social Accountability in Lebanon

### 6.1 The Context of Social Accountability in Lebanon

Lebanon has the reputation of being both one of the most liberal of Arab countries, but since its independence in 1943 also one of the most unstable. A long history of political tensions, regional wars, and of course civil war has limited the state's capacities and destroyed institutions.

After the war (1975-1991), the so-called "Pax Syriana" was installed and Lebanon witnessed a relative calm, and was marked by the end of Israeli occupation of South Lebanon and the rise of Hizbullah.

In 2005, the assassination of Prime Minister Hariri led to a popular uprising and the ousting of the Syrian army. Free elections were held, amongst political tension between pro and anti-Syrian parties. A consequence of Israel's war on Lebanon in 2006 was relying on international donors and foreign states for reconstruction (mainly infrastructures), thus further weakening the role of the state.

The Lebanese economy relies largely on remittances coming from the Lebanese diaspora, the banking sector and the private sector (services, tourism sector). Wealth is generally concentrated in the hands of powerful families. The electoral process is in progress, with the organisation of free elections since 2005, but political tensions between the majority and the opposition led to several halts in the legislative process (parliament not convening, bills are passed or rejected according to political agendas).

Lebanon hasn't experienced its own "spring" in the past two years. However, Lebanon hasn't been spared by the impact of the Syrian crisis: the fear of a spillover of the conflict (skirmishes in the Bekaa valley between the Free Syrian Army and Hizbullah fighters who are fighting along with the Syrian Army), political polarisation (since 2005 the Lebanese are divided between pro-Syrian parties and anti-Syrian parties) sectarian tension (Shiites/Sunni, as a result of Hizbullah's stance supporting the Assad regime and the Sunni movements supporting their fellow co-religionists). It is also worth mentioning the economic impact of the crisis in Syria: the instability and massive presence of Syrian refugees has caused a drop in tourism and an increase of rental prices. Another economic burden on Lebanon is the necessity to tend to their primary needs (the number of Syrian refugees in Lebanon in early 2013 is according to the UN approximately 300,000 people, compared to a total of approximately 4.5 million Lebanese).

## 6.2 Perceptions of Social Accountability in Lebanon

*“If we look at the big picture, Social Accountability couldn’t be reached in Lebanon, since the ultimate step, i.e. the elections and the sanction that might result from it, is not properly functioning.*

*One will have to be realistic and work on initiatives such as “Codes of Conducts” for the production of financial information and its use, and “Charts of services” that would ensure the quality of public services. These elements should come in addition to the legislation process.”*

Jihad Azour, Economist, former Minister of Finance (2005-2008), January 2013

Social Accountability in Lebanon is, at first glance, a familiar and well-understood concept. During interviews with stakeholders from all four sectors (public, private, media and CSOs), definitions of social accountability revolved around the idea of checks and balances between those who make the law, those who implement it, and those who control the implementation.

Another central concern was the concept of transparency in the public sector, and the extent to which citizens are informed and participate in the decision-making process. Social accountability is also seen as a tool for citizens to initiate a “culture of questioning” in order to ask the decision-makers key questions on administrative and financial issues.

A strong desire to see the end of the clientelist system, and working towards achieving good governance and reform in the country, as well as re-building a state and its institutions that have been totally destroyed during the civil war (1975-1991) and the years of Syrian occupation that followed, create an environment conducive to the implementation of the Social Accountability concept.

The use of social accountability tools held by citizens could help restore confidence in the public and state institutions, and give the country credibility regarding international donors. Positive results may help to increase the sense of citizenship and ownership, create an interest in the electoral process and elections as such, and could lead to a push for a new parliament. The renewal of the economic elite and the creation partnerships between the private sector and the government that is not based on clientelism are also opportunities given by social accountability.

Therefore, social accountability is very relevant given the historical and current political context. People are ready even if their priorities are sometimes on a more pragmatic level, such as “keeping their jobs and taking care of their families”. Lebanese people suffer from a lack of a long-term vision (for reasons mainly related to Lebanon’s volatile political context), which often hinders any efforts that don’t carry an immediate impact. Elaborating a new strategy in implementing social accountability initiatives could help in envisioning the long-term and enhancing the sense of common good.

**What do you understand by social accountability in Lebanon?**

- Checks and balances
- Transparency
- Good Governance
- Legal Reform
- Anti-Corruption

Despite the familiarity of the concept and the fact that it is seen as significant in achieving good governance in the country, the main challenge highlighted by almost all of the stakeholders interviewed is the lack of the tools and capacity to implement social accountability initiatives. Despite a strong civil society presence, capable public institutions, a strong private sector, and a relatively free media, there is still a lack of effectiveness in areas concerning social accountability. Tackling legislation, especially concerning access to information and financial

transparency, seems to be the first requirement. Awareness raising, lobbying and advocacy efforts have shown the limitations on achieving these goals. High levels of perceived corruption in the public and private sectors, a tradition of political patronage, and a lack of any sense of common interest all hinder Lebanese citizens' efforts to question decision-makers and hold them to account.

So far, it is difficult to document any real impact of the Arab Spring on government responsiveness in Lebanon, since the country has not experienced the same social movements that took place in other parts of the MENA region. One exception is the uprising in 2005, "The Intifada of Independence" or "The Cedar Revolution" that followed the assassination of Prime Minister Rafiq al Hariri, and which resulted in putting an end, at least on a military level, to the Syrian presence within the country. It can be argued that the lessons learned from the Arab Spring movements in other countries has bolstered the position of CSOs in Lebanon by highlighting the necessity of civil society engagement. However, it can also be seen to have highlighted the lack of effectiveness, poor organisational capabilities and the absence of coordination amongst CSOs active in Lebanon.

### 6.3 Pillar Analysis

Regarding the four pillars of social accountability, three of them were identified as very relevant to Lebanon, in the following order of relevance: Access to Information, Financial Transparency, and Community/Citizen-led monitoring of public services.

Freedom of association was listed by all stakeholders as the least relevant issue affecting social accountability in Lebanon.<sup>40</sup> The existing law ensures freedom of association (currently Article 13 of the Lebanese Constitution adopted in 1943, although it was already present under the Ottoman Law in 1909<sup>41</sup>). The Notification System in use, which is different from the registration system adopted in other Arab countries, means that associations are formed by the will of their founders without any intervention by the administration. Once formed, the association is then bound to declare it to public authorities, thereby allowing the administration to deliver a

<sup>40</sup> Some interviewees have even highlighted the counterproductive nature of it. One of them ironically points it out by saying that the "problem is that there are too many associations in this country!"

<sup>41</sup> [http://d2977232.ir63.irisgraphic.com/upload/freedom%20of%20association\\_colori\\_en.pdf](http://d2977232.ir63.irisgraphic.com/upload/freedom%20of%20association_colori_en.pdf)

notification. The notification is finalised by the delivery of a receipt for the declaration, the receipt of “*Ilm wa Khabar*,” or ‘Information and Notification’.

Figure 6.1. Lebanon – Baseline Status of Pillars

	Access to information	Freedom of association	Financial transparency	Citizen-led monitoring
Relevance (rank 1-4, with 1 as priority)	1	4	2	3
Status of legislation	Draft Law on access to information in 2009 (under the impulsion of MP Ghassan Mukheiber)	Freedom of Association: Article 13 of the Lebanese Constitution (adopted in 1943), already present under the Ottoman Law 1909.  Notification System; associations are formed by the will of their founders without any intervention by the administration; upon declaration of formation, the administration delivers a notification and receipt of <i>Ilm wa Khabar</i> ,” (Information and notification)	Two draft laws (2009):  Autonomous National Anti Corruption committee (investigation tool)  Protection of whistleblowers (inside the administration, planning to offering them compensation)	No mechanism exists (no legislation).
Effectiveness of legislation	The Law has not yet been adopted. Current legal obstacles: requirement to public servants to obtain authorisation from the relevant ministries to provide the information Illicit Enrichment Law: limits public access to information regarding the wealth of politicians	Good with few notable exceptions:  The state can withhold notifications of association or create administrative obstacles	Laws have been drafted but not yet submitted to Parliament  No clear legislation or access to budget or other state expenses	

However, concerns regarding the relevance and application of the existing legal framework and its application still raise concern when it comes to freedom of association in Lebanon. These concerns are threefold. Firstly, the right to association is still withheld from certain groups, such as youth and sports associations, foreign associations and Palestinian associations. Secondly, the procedure to acknowledge and validate an association's establishment is neither clear, nor transparent. Thirdly, political agendas frequently delay or obstruct a notification of establishment.

The situation slightly improved after 2006, with the Ministry of Interior declaring its dedication to clarifying those frameworks that may have been interpreted in a repressive or obstructive manner. Subsequently, the Minister of Interior, Ziyad Baroud, a well-known human rights lawyer and activist, eliminated the "preliminary steps" for the registration of an association in 2008. As such, the "*ilm wa khabar*" is first published in the Official Gazette of the Lebanese Republic, and the notification to General Security Directorate<sup>42</sup> comes afterwards.

### **i. Community-led monitoring of public services in Lebanon**

Community-led monitoring of public services is not included in any law or draft law initiatives. Nevertheless, the concept itself was of great interest to the stakeholders, especially when it came to implementing local initiatives and tackling the issue of decentralisation. Lebanon is hugely centralised, often excluding rural areas and minor cities and there is therefore a necessity for local social accountability initiatives that could be easily implemented at local municipalities levels (see case study no. 2). An Access to Information law will create a more open and democratic society by allowing individuals to seek and receive public documents that affect their daily lives, enabling them to make informed decisions and deepening trust between the citizens and their government.

However, the draft law that has been developed and submitted to Parliament hasn't yet been adopted, despite efforts made by a network of CSOs that allowed one MP to draft a law project in 2009.<sup>43</sup> Another of the current legal obstacles is the requirement for public servants to obtain authorisation from the relevant ministries to provide the information. Similarly, the Illicit Enrichment Law that, despite its name, actually limits public access to information regarding the wealth of politicians.

As for the adoption of the law per se, the current challenges are the sectarian system, a divided parliament, a political stalemate that has continued for the past five years, and diverging political agendas of both ruling parties and the opposition. Many see Parliament as responsible for not holding the government accountable, by playing neither a legislative nor a monitoring role.<sup>44</sup>

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<sup>42</sup> Intelligence agency that collects information relating to security issues

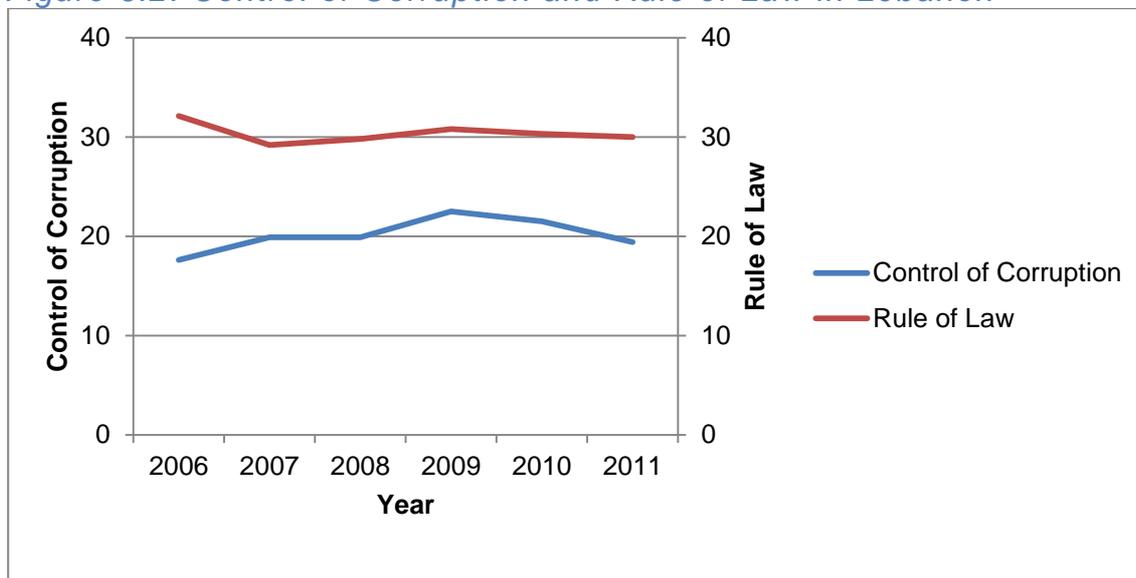
<sup>43</sup> Link for the draft law (in Arabic) <http://www.ghassanmoukheiber.com/showArticles.aspx?aid=194>

<sup>44</sup> <http://www.ghassanmoukheiber.com/showArticles.aspx?aid=194>

## ii. Financial Transparency in Lebanon

Financial transparency was often cited as the most relevant pillar of social accountability for Lebanon. Corruption is one of the major problems that Lebanese citizens face on a daily basis, resulting in a lack of trust in the Lebanese state. Thanks to the continued efforts of civil society and the media, citizens of Lebanon are allowed to openly express their views on corruption, but are still lacking the tools, both legislative and technical, to fight corruption. Indeed, this assertion is supported by data from the World Bank, which draws attention to the fact that both rule of law and corruption controls are low in Lebanon, and have been slowly decreasing since 2009. Although initiatives are being put in place to try and combat corruption, weak legislation hinders progress towards accountability.

*Figure 6.2. Control of Corruption and Rule of Law in Lebanon*



Source: Source: World Bank World Governance Indicators 2006-2011

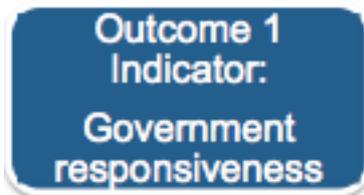
There have been initiatives put in place that would suggest that the situation is improving. In 2009, the law for the Autonomous National Anti-Corruption Committee (an investigation tool) was drafted, as well as a law on the protection of whistleblowers, more specifically, those working inside the administration. However, both laws have yet to be submitted to Parliament and endorsed.

Some of the major findings concerning financial transparency were that the majority of government bodies do not issue data on the budget and other public expenses. Moreover, civil society, the citizens of Lebanon, and to some extent even specialised media, lack the capacity to question the lack of availability of data.

The main problem that could hinder any efforts to promote financial transparency in Lebanon is that the private and public sectors are closely related, thanks to the confessional political system, and the political patronage practices it conveys. Some of the largest companies, such as banks or construction companies, are sometimes owned by political leaders making full transparency in procurement mechanisms and public adjudications a very sensitive issue.

## 6.4 Social Accountability Practices in Lebanon

Numerous social accountability related activities and initiatives were identified in the Lebanon context, crossing all four sectors of study. The major issues that were addressed are parliamentary monitoring, election monitoring, budget monitoring, women’s issues, health issues, money laundering and youth participation.<sup>45</sup>



### Government

So far, it is difficult to document any real impact of the Arab Spring on government responsiveness in Lebanon, since the country has not experienced the same social movements that took place in other parts of the Arab World. One exception is the uprising in 2005, “The Intifada of Independence” or “The Cedar Revolution” that followed the assassination of Prime Minister Rafiq al Hariri, and which resulted in an end to Syrian military occupation. It can be argued that the lessons learned from the Arab Spring movements in other countries have bolstered the position of CSOs in Lebanon by highlighting the necessity of civil society engagement. However, it can also be seen to have highlighted the lack of effectiveness, poor organisational capabilities and the absence of coordination amongst CSOs active in Lebanon.

The public sector stakeholders were, perhaps surprisingly, very responsive and willing to share their experiences. They were keen on trying to establish some kind of collaboration with CSOs and the media to tackle social accountability issues<sup>46</sup>. The two main examples are the Court of Auditors<sup>47</sup> and the Institute of Finance.

The Court of Auditors produce two types of report; an annual publication concerning the misuse of public money, and specific reports, targeting particular institutions. The recommendations are delivered to the Council of Ministers and the Parliament. The Court is working on modernising the report in order to try to make it more accessible to CSOs, and to work on making it more relevant for MPs to use for monitoring purposes.

The Institute of Finance<sup>48</sup> is working on promoting integrity, access to information and transparency in the public sector, by providing training on issues such as procurement procedures. Trainers are trained on the importance of social accountability issues. The Institute is also offering support to the Ministry of Finance to provide access to information to citizens by issuing a Citizen’s Guide on Financial Transaction and Taxes, which provides information on how to file income taxes. CSOs can similarly use

<sup>45</sup> A list of active stakeholders and activities are included in a database in annex

<sup>46</sup> A civil servant even mentioned that he wanted the CSOs and the media to hold his ministry accountable and to question the lack of data, in order to highlight the internal and structural problems.

<sup>47</sup> A government body charged with conducting financial and legislative audits of most public institutions and some private institutions, including the central Government, national public corporations, social security agencies, and public services, with Judiciary prerogatives (Judges) and administrative.

<sup>48</sup> The Bassil Fuleihan Institute of Finance was created to build the capacity of the Ministry of Finance in Public Finance Management and is now applying its expertise to the entire public sector.

the Guide on Budgets, which is produced to aid understanding of the budgetary process. The Institute also provides workshops to promote transparency.

Despite the familiarity of the concept and the fact that it is seen as significant in achieving good governance in the country, the main challenge highlighted by almost all of the stakeholders interviewed is the lack of the tools and capacity to implement social accountability initiatives. Despite a strong civil society presence, capable public institutions, a strong private sector, and a relatively free media, there is still a lack of effectiveness in areas concerning social accountability. Tackling legislation, especially concerning access to information and financial transparency, seems to be the first requirement. Awareness raising, lobbying and advocacy efforts have shown the limitations on achieving these goals. High levels of perceived corruption in the public and private sectors, a tradition of political patronage, and a lack of any sense of common interest all hinder Lebanese citizen’s efforts to question decision-makers and hold them to account.

*“As an activist in civil society for 15 years, I am now not convinced of any activities such as lobbying or advocacy. The greatest problem in Lebanon is the political system, the lack of policy - making mechanism that kills every effort of lobbying or advocacy. What I might call the non – democratic process, i.e. the clientelist system makes Social Accountability irrelevant as a concept.”*

Social Entrepreneur, January 2013

Adopting a Law on Access to Information is cited by many as the first and the most pressing step towards capacitating citizens to hold the government accountable and gain access to the necessary and up-to-date information to participate in any decision-making processes. Please refer to Figure 6.2 on page 60 below, showing the correlation between the control of corruption and freedom of the press.

**Outcome 2  
Indicator:  
Civil society voice**

**CSOs**

CSOs play a very strong role in shaping the Lebanese landscape and could therefore play a leading role in addressing social accountability issues. Some CSOs are specialised in matters relating to access to information and financial transparency, such as the Lebanese Transparency Association-LTA, which is active on numerous projects such as the Anti-corruption Network, Access to Information Network, Youth participation in municipalities, and the Lebanese Budget Project. The Lebanese Budget Project (lead by LPHU –Nahwa al Muwatiniya- and LTA) issued studies on the reform of the budget with the Ministry of Finance, and offered training for CSOs on how to read a budget. Although the project ended due to a lack of funding, it seemed to have had a small impact, as the Ministry of Finance issued a citizen budget guide in order to further the involvement of citizens in the budget-making process.

The National Network for Access to Information A2I<sup>49</sup> included the Lebanese Parliamentarians against Corruption (LebPAC), the Lebanese Transparency Association (LTA) and Association pour la Défense des Droits et des Libertés (ADDL), in collaboration with the American Bar Association (ABA) Rule of Law Initiative in Lebanon<sup>50</sup>. The main activities of the network were to petition with MPs, to provide training on lobbying, and to educate on public sector engagement. A technical committee was formed with the help of MP and activist Ghassan Mukheiber. In 2009, a draft law was issued and launched by the Ministry for Administrative Reform (OMSAR). Unfortunately, this initiative was also put on hold because of a lack of funding, thus the LTA led a new coalition that started in September 2012 with new funding from the Open Society.

A lot of smaller initiatives are coming into effect, catalysed by a new wave of CSOs with different skills and capacities. The AlloFail campaign, for example, works on holding the telecoms sector accountable. Similarly, Nasawiya, a young feminist association, is very active in demanding women's rights on issues such as the right for women to give nationality to their child. Furthermore, the Roads for Life Association is efficiently addressing the issue of amending traffic rules through targeted lobbying which has been supported by a communications consultancy.

## Private sector

In the private sector, there is a real emphasis given to these issues, but since the Trade Unions are very weak and the Professional Orders role is still on the periphery of the CSOs-driven actions, we have very few examples of successes. Recently, Spinneys Supermarket workers' went on strike in order to raise awareness of their working conditions, a possible indication of a re-emergence of greater labour activism.

## Media

The media is very active in denouncing corruption scandals, especially on TV,<sup>51</sup> and in specialised newspapers.<sup>52</sup> The media is considered relatively free in Lebanon, as supported by Freedom House data in Figure 6.3.

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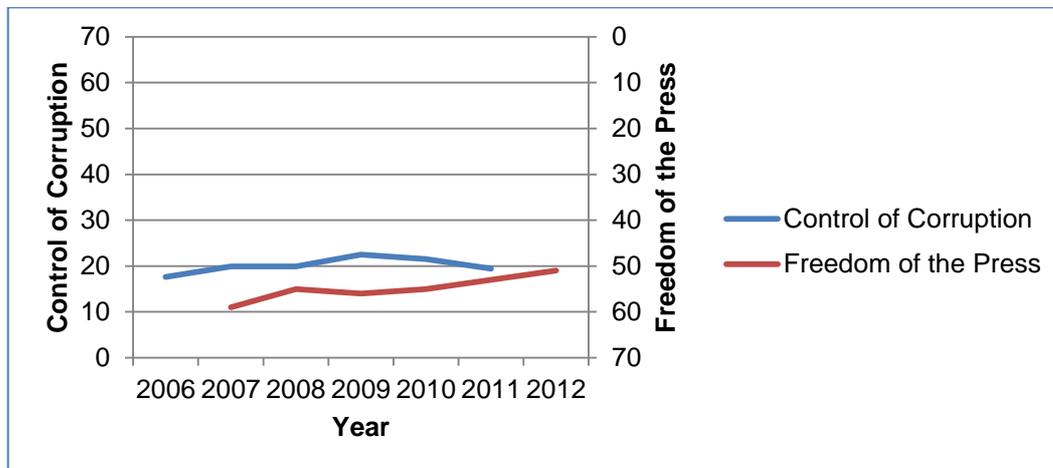
<sup>49</sup> [www.a2ilebanon.com](http://www.a2ilebanon.com)

<sup>50</sup> Members of the Network include representatives from the following organizations and institutions: LebPAC, the Ministry of Justice, the Office of the Minister The National Network for the Right of Access to Information is a multi-sectoral group formed on April 11, 2008 upon the initiative of State for Administrative Reform (OMSAR), the Ministry of Interior and Municipalities, the Ministry of Finance, the Ministry of Economy and Trade, the Beirut Bar Association (BBA), the National Audio-Visual Media Council, the Press Syndicate, the Syndicate of Journalists, the Federation of Chambers of Commerce, Industry, and Agriculture in Lebanon, LTA, ADDL, Maharat, Nahwa Al Muwatiniya (Na-aM), Association Libanaise pour l'Education et la Formation (ALEF), and Nahar Ashabab –Youth Shadow Government.

<sup>51</sup> The television anchor of a show called Al Fasad (Corruption in Arabic) has founded her own association.

<sup>52</sup> Recently Le Commerce du Levant, an economic monthly, has issued an complete edition on corruption in Lebanon

Figure 6.3. Control of Corruption and Freedom of the Press



Source: World Bank World Governance Indicators and Freedom House Press Freedom Index, 2006-2011

However, the media is not considered very effective at sustaining its efforts once the scandal goes public. Journalists often do not have the time, or the capacity, to undertake serious research to compensate for the lack of data from the government and the general lack of access to information. Another major limitation stems from the fact that many media outlets are owned by political leaders. It will therefore be important for control of corruption to improve for the media to truly hold leaders to account.

## 6.5 Lessons Learned

The main lesson learned from the research is that collaboration and cooperation between sectors will enable the greatest impact. Various strategies have been used, one of the most powerful being personal political lobbying.

Some CSOs have also pointed out the need to work on a more local level, and not focus merely on awareness raising, but also implementing local and small-scale initiatives. The necessity to ameliorate citizens' education on economic and financial matters, as well as the media, has been suggested as a priority for future social accountability activities. Creative ways of doing this, targeting the private sector especially, were also suggested. One such example was enabling mothers to open bank accounts for their children. A human rights association promoted a "banking product" that was attractive to banks, without targeting products at traditional managers of household finances i.e. fathers. The marketing around the financial product made the idea particular attractive to the banks.

Another example is the monitoring of elections. The campaign to change electoral law (Civil Campaign for Electoral Reform-CCER) targeted MPs and political forces by direct lobbying and advocacy. It had a small impact in introducing reforms in the last amendment of 2008 (integrating 10% of amendments that the CCER campaign was

calling for), but they felt they had no real impact through traditional approaches. Now citizen awareness, mobilisation and pressure are a priority as citizens provide the greatest weight on politicians. Nevertheless, there was some responsiveness on the behalf of the Ministry of Interior, as during the 2009 elections, CCER was granted office space within the Ministry for monitoring the whole electoral process. This experience could be easily replicated elsewhere.

The major problem in Lebanon is not capacity-related per se, even if there is a noticeable lack of methodological tools that would aid the implementation of social accountability activities. The biggest challenge, mentioned by the majority of respondents, is how to overcome the obstacles relating to the political system itself, such as sectarianism, corruption, nepotism and patronage.

In post-conflict countries there are often problems concerning a loss of qualified staff, particularly in the public sector; whilst the lack of knowledge of rights and duties of workers is an issue that is becoming increasingly evident in Lebanon. There is also a noticeable lack of collaboration between CSOs; for although organisations appear to be on the same page regarding social accountability issues, they often pursue their own agendas. Consequently, there is often agreement on the issue at hand, but not on the application of initiatives to tackle the problem. CSOs are also caught in a negative cycle; by accepting funding in order to survive as an organisation, they often re-adjust their primary objectives to suit donor requirements.

Legislation is also a key issue when it comes to tackling social accountability in Lebanon. The lack of responsiveness of legislative entities to concerns raised by civil society actors is due to the ambiguity of the law, as it does not require them to provide citizens with information.

Finally, some note a lack of interest of citizens, who have more important or pressing priorities, such as ensuring their personal and financial welfare. As expressed by one respondent, there is a sense of “helplessness and hopelessness.” The political patronage system makes social accountability efforts irrelevant in some people’s view, as government and MPs prove unwilling to sign or implement any law that would ultimately undermine their interests.

## 6.6 Lebanon Case Studies

### Case Study 1: The Campaign to enforce Law 174

The campaign is organised by IndyACT, Tobacco Free Initiative (TFI), and in collaboration with the American University of Beirut (AUB) - Tobacco Control Research Group (TCRG) at the Faculty of Health Sciences.

The campaign tackles the implementation of the smoking ban in public places (from government buildings to restaurants and cafés), as well as a ban on selling & serving tobacco products to underage youth, the inclusion of a "No Smoking" sign, advertising logos, brands and trademarks ban, promotions of tobacco products ban, banning all direct and indirect, paid and unpaid, tobacco advertisements in all audio-visual media sponsorship ban, and health warnings to cover 40% of tobacco packaging.

## Case Study 2: Musharaka

Musharaka, meaning ‘participation’ in Arabic, is the Youth Partnership for the improvement of governance in municipalities. It is a project led by the Lebanese Transparency Association, in cooperation with Mercy Corps, and funded by The Middle East Partnership Initiative (MEPI). The project aims at forming youth municipal councils in 15 municipalities all over Lebanon. 60 participants are nominated by LTA, in coordination with the municipal councils in the targeted villages and cities.

LTA organised workshops and training sessions on Transparency, Overview on the Public Budget, Advocacy and Lobbying, Needs Assessment exercises, and Leadership and Communication skills.

Two lists of 20 candidates in each municipality ran for elections and conducted electoral campaigns within their constituencies. The elected council of 10-15 members was in charge of assessing the villages’ needs on different levels. The elected members have also revised the budget prepared by the municipal council, in order to study the possibility of reallocating few budget lines based on the results of the needs assessment campaign.

As Peter Youssef Nohra, Head of Youth Municipality of Ain Deleb (South Lebanon), said “So far, we have conducted a needs assessment for the people in the village, we’ve been trying to monitor thoroughly the municipality’s budget, but also, we have created a “complaints box” for citizens to encourage them to file complaints when they see that something is wrong.”

The Musharaka Program has been extended to five additional municipalities, as another two-year project funded by the United Nations Democracy Fund (UNDEF) in western and northern Bekaa. The goal is to ensure a greater impact at country level. The project will ensure the creation of five more Youth Shadow Councils and could be replicated in other areas of Lebanon that haven’t been targeted yet, such as more rural areas in the north of the country.

## 6.7 Social Accountability in Lebanon SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>- Number of CSOs working on SA issues</li> <li>- Experience in tackling SA issues</li> <li>- Willingness of public sector to get involved in SA initiatives</li> <li>- Freedom of association and freedom of media</li> <li>- Strong interest amongst citizens, familiarity with the concept</li> <li>- Existence of former networks and experiences that could be built upon</li> </ul>	<ul style="list-style-type: none"> <li>- Failure of legislation attempts (access to Information, financial transparency)</li> <li>- Weak state, clientelist system</li> <li>- Private sector not showing strong interest</li> <li>- Weak labour unions and syndicalist movement</li> <li>- Some CSOs lack technical skills</li> <li>- Media lack technical skills</li> <li>- Citizens not informed and trained to read information</li> </ul>
Opportunities	Threat
<ul style="list-style-type: none"> <li>- Lobbying for passing bills, especially the Access to information draft law</li> <li>- Training/Educating citizens, media and CSOs on how to read and use information related to SA issues</li> <li>- Reinforcing collaboration amongst CSOs</li> <li>- Raising awareness amongst the private sector</li> <li>- Creating a platform of dialogue with the public sector</li> <li>- Giving technical support to enhance communication, dissemination of information</li> </ul>	<ul style="list-style-type: none"> <li>- Law on access to information doesn't pass</li> <li>- Legal presence of public sector in the network is not secured</li> <li>- CSOs redefining priorities according to funding</li> <li>- Feeling of hopelessness amongst citizens, no trust in the state</li> <li>- Failure in reaching out to rural area or smaller cities</li> <li>- Difficulties in the implementation of laws, initiatives, activities</li> </ul>

## 7. Social Accountability in Morocco

*“This ANSA AW initiative is what we used to dream of when we were young in political parties, the dream of involving citizens in public life to improve the government’s output”.*

Mr. Laarbi Ziyat, board member of Saada Forum (a CSO)

### 7.1 The Context of Social Accountability in Morocco

As a constitutional monarchy, Morocco’s political system is organised around a multiparty system; two Houses of Parliament, a King and a Prime Minister. Though the Prime Minister heads the government and is endowed with sufficient power, such as the ability to dissolve the parliament and choice in ministers, the constitution still bestows substantial privileges onto the King. He is the Head of the State, the Supreme Chief of the Army, the Commander of Believers, Head of the High Council of Jurisprudence, Head of the High Security Council, and Head of the High Judiciary Council. He can dismiss one or many ministers and can dissolve one or both houses of parliament, to cite just a few of his powers.

With the rise of demand from all parts of the society for better governance and improved social justice, social accountability needs to be organised and formalised within a framework that guarantees a constructive dialogue between the supply-side (government) and the demand-side (citizens), to build trust and avoid instability.

Even before the Arab Spring, the Moroccan government had become increasingly aware of growing unrest amongst the population, especially poorer classes. The establishment of the National Initiative for Human Development, and institutions such as the Economic, Social and Environmental Council, the Central Council for Preventing Corruption, and the National Council for Human Rights, were indicative of attempts to raise the standards of living of citizens and raise moral awareness within public life.

On the 30<sup>th</sup> of January 2011, Moroccans took to the streets to start their own Arab spring. Many Moroccans say they wanted to reform the regime but not to change it; they wanted to reduce the power of the king, not to topple him. There was a call for nationwide demonstrations on the 20<sup>th</sup> of February and since then the movement under which the banner of all protesters were mobilised and organised became known as “The 20<sup>th</sup> February” movement. Banned Islamist Jamaats (Muslim Brotherhood), secularists, extreme left parties, young Facebook users, apolitical people, human rights activists and slum dwellers, all demonstrated to call for social justice and deep political reforms. There were moments of high tension and sometimes it yielded to clashes between demonstrators and anti-riot police forces.

The protests led to some reform. The first gain from the “Moroccan Spring”, represented by the 20<sup>th</sup> February movement, was the adoption of a new constitution which gave more power to an elected government and the Prime Minister. It also connects, in Article One, responsibility to accountability. The article states that, “the constitutional regime of the kingdom is based on the separation, balance, and collaboration of powers on a citizen and participative democracy, as well as a correlation between responsibility and accountability”. Elections were subsequently held and a coalition government led by the Islamist Justice and Development Party (PJD) was established in January 2012.

Amongst this popular unrest, many social categories took advantage of the situation to press for their demands. The so-called “Agreement of 26<sup>th</sup> April” came after an unprecedented social dialogue between the government and trade unions. This resulted in a 600 MAD salary rise for public employees.<sup>53</sup> But the big winners seem to be the inhabitants of the urban slums, who represented a majority in the 20<sup>th</sup> February movement who saw their previously unsuccessful demands satisfied. Indeed, the slum dwellers have been pushing for years to have the right to overlook the methodology used to define which families are eligible to benefit from government granted housing, but were faced with absolute refusal from local authorities. Now, these populations have their representatives inside the committees in charge of housing attribution, and they not only observe, but also contribute to decision-making processes.

The effect of the Arab Spring on civic engagement in Morocco was generally positively evaluated. It enabled ordinary citizens to acquire enough courage to question the establishment and the level of its commitment to social justice, transparency and integrity. Many echelons of society – especially youth, who had previously been indifferent to politics – regained awareness and became involved in public life. The role of ICT increased the ability of people to participate and make comments. As one interviewee from the ICT sector said, “Everyone in a gathering became a journalist”.

## 7.2 Perceptions of Social Accountability in Morocco

Most interviewees were unfamiliar with the concept of social accountability, although through discussion they tended to conclude that in Morocco the principles of social accountability have not been institutionalised. Most respondents considered social accountability to be a new concept, while a minority of respondents had a very basic understanding. It was interpreted variously as, “the sharing of governance between all stakeholders”, or, “improving the social performance of the state through citizen involvement”. Some respondents preferred to speak about the responsibility of the state for creating the environment and structures by which citizens could hold it to account. This speaks to the fact that accountability is now an explicit part of the new constitution. As one interviewee said, “Before we didn’t have accountability, now it’s constitutional”, with reference to Articles 1 and 154.

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<sup>53</sup> The exchange rate at time of writing is 1 Moroccan Dirham (MAD): 0.12 US\$.

There is, however, a pronounced frustration and anxiety over the fact that these articles have not been translated into concrete laws to provide a legal framework for social accountability. By way of example, the constitution states that citizens can submit petitions; however, the law that regulates this principle is yet to be drafted.<sup>54</sup> There is great hope that the new constitution will clearly articulate the link between responsibility and accountability.

In Morocco the understanding of the “state” was at both the institutional and individual level, in so far as persons in leadership positions – including politicians and technocrats – should be held personally accountable for their actions. Such a personalised approach to social accountability would pave the way for the end of impunity in the face of embezzlement, cronyism, or corruption. Participants in the research

discussed the issue with monitoring individuals and increasing punishment, vis-à-vis the risk of turning social accountability into a witch-hunt. The perception that social accountability can have a potentially negative affect resonates strongly in Morocco, as many people link social accountability with chaos or revolution. The fear is that ordinary citizens might interpret this openness and involvement as a weakness of the state and begin to disregard the law. This trepidation is based on previous experience with practices such as the occupation of public places (streets, pavements, etc) by various vendors; some have threatened to immolate themselves (like Al Bouazizi of Tunisia whose immolation sparked the Tunisian revolution) if prevented from pursuing their business.

**What do you understand by social accountability in Morocco?**

- Transparency
- Civic engagement
- Good governance
- Accountability
- Individual Accountability

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<sup>54</sup> The interviewee in question refers to article 15 of the constitution.

### 7.3 Pillar Analysis

Figure 7.1. Morocco – Baseline Status of Pillars

	Access to information	Freedom of association	Financial transparency	Citizen-led monitoring
Relevance (rank 1-4, with 1 as priority)	1	3	3	2
Status of legislation	<p>A new constitution, amended in 2011, states in article 27 the right of citizens to information owned by government and elected institutions.</p> <p>Drafting of a law regarding access to information - expected to be submitted in 2013.</p> <p>The right of access to information has been included in the press code (1990) but no law been drafted.</p> <p>Article 18 of the general status of public service forbids any public service employee from providing information or documents to the public</p>	<p>A royal decree issued in 1958 regulated the right to associations.</p> <p>Article 12, passed in 2011 in the constitution guarantees the freedom of association.</p> <p>Article 29 of the constitution guarantees the freedom of gathering, peaceful demonstration, and affiliation to political parties or unions.</p> <p>Article 161 of the constitution defines the role and mission of the CNDH (National Council of Human rights) as an independent institution.</p>	<p>Articles 147 149 (2011) defines the role of the court of accounts</p>	<p>Article 13 of the 2011 constitution asserts the need for citizen participation in governance and development and recommends setting up effective measures</p> <p>Locally: Article 14 of the communal charter creates the consultative commission called “Commission of gender equity and equal opportunities”.</p> <p>Article 162 defines the role of the ombudsman</p>
Effectiveness of legislation	<p>An annual report government financial irregularities is published by the High Council of Accounts.</p> <p>A website set up by the government publishes public data about the Moroccan administration.</p>	<p>The existing law helped create a dynamic civil society. There are 70 000 associations working on human rights, human development, gender equality, political activism, and charity.</p>	<p>Limited access for citizens to financial information.</p> <p>Weak budget/fiscal transparency</p> <p>Reforms are not adequate with the problems faced</p>	<p>There are some existing mechanisms for participatory approaches to public service performance. However, many projects stimulate a great deal of protest and disapproval</p>

## **i. Access to information in Morocco**

Most of the respondents in the Moroccan research regarded access to information as a priority pillar of social accountability. Although Article 27 of the constitution guarantees the right to information, the laws regulating this right have not been drafted, resulting in confusion over which laws apply, such as that which forbids public employees from handing over information to the public. Indeed, there is no law in existence that draws a clear line between confidential and non-confidential information. Respondents referred to the case of two employees in the Ministry of Finance who are being sued for communicating the bonuses of the former Minister of Finance to the media.

From the perspective of a senior manager in a private company, Morocco has made great efforts to democratise computers and there are currently four million smart phones in circulation, all of which helps increase citizens' access to information. However, there is still an issue facing private companies concerning the diversity of sources of information, which makes it difficult sometimes to process it, or, as one respondent puts it "to transform data into useful information". Another executive said that there still remains much ambiguity surrounding certain sensitive issues, such as the process of public spending, state procurement, the attribution of state licenses and prerogatives, and the process of nominating high-ranking officials. One alarming finding was, according to the Centre for the Freedom of Press in the Middle East (CMF MENA), that 91% of private companies say that the information they receive from various administrations is incomplete, and that 70% deem the information available to them as useless.

The key organisations working on issues concerning access to information include Transparency Morocco, UNESCO, CMF MENA, the Ministry of General Affairs, and the Moroccan Network for Access to Information (REMDI).

## **ii. Financial Transparency in Morocco**

As early as 1976, Morocco issued a law that obliges the government to publish the finance law in the official gazette. During the ANSA/Morocco members' focus group, there was an agreement that there exists an affinity between the principle of financial transparency and that of access to information. The approach for setting up the budget is neither clear, nor explained to ordinary citizens. However, it is worth noting that the government holds consultations with various stakeholders before submitting the annual budget law for voting at both houses of parliament, namely with the General Confederation of Moroccan Enterprises and the most representative trade unions.

Citizens also complain about corruption and mismanagement when it comes to the methods used for tracking and monitoring budget spending. There is therefore a need for citizens and CSOs to be involved in budget design from the beginning of the process right through to government spending.

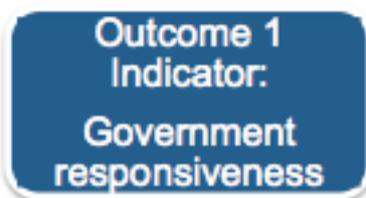
There has been some progress towards financial transparency however. A positive initiative was undertaken in 2012 by the government, with the publication of the "Citizen's Finance Law". This is a simplified version of the finance law that can be

understood by an average citizen. Respondents in the research felt that people expect political parties' to explain laws to citizens. This document is aimed at improving communication with the citizen and at reinforcing the principle of the citizen's right to information. It defines the budget and its components and explains the different stages of its preparation<sup>1</sup>. It is worth mentioning that this initiative aims at improving Morocco's ranking in the international "Open Budget Index (OBI)". We do not have information on whether the Ministry of Finance was responding to any pressure from CSOs, but we know that in 2010 Transparency Morocco stated in a conference that Morocco needs a "Citizen Budget" to inform the citizen and reminded the government that according to the OBI index, Morocco ranks 69 in the world – OBI being the only global tool for measuring transparency and responsibility of state's budgeting.

Another example of positive action in terms of financial transparency was the Courts of Accounts' auditing of public spending, which resulted for the first time in suing a former Minister, a CEO, and other middle officers.

## 7.4 Social Accountability Practices in Morocco

The limited understanding of social accountability described above does not mean, however, that social accountability initiatives are not being practiced.



### Government

As one interviewee said, the monarchy is deeply rooted in twelve centuries of Moroccan history, which is why regime change was not on the agenda of the 20<sup>th</sup> February movement. The protestors did not have to wait long, as the king announced deep constitutional reforms less than a month later. It was no surprise that the first article of the new constitution, which was voted in a referendum on July 1<sup>st</sup> 2011, mentioned accountability. There are two opposing views. On the one hand, liberals such as Jean-Noel Férié, researcher at the French Centre National de Recherche Scientifique (CNRS), consider it democratic.<sup>55</sup> On the other hand, the renowned Moroccan economist Driss Benali considers it as a "cosmetic reform" that grants the Prime Minister powers which are inferior to the British PM in the 18th century<sup>56</sup>. However, there were reforms which reinforced the powers of the Prime Minister, who gained the title "President of the Government"<sup>57</sup> and the King's relinquishing of many of his prerogatives to the former. In addition, the President can now dissolve the parliament

<sup>55</sup> La Nouvelle Constitution va réduire les pouvoirs du souverain. [www.lemonde.fr http://www.lemonde.fr/international/article/2011/06/17/maroc-la-nouvelle-constitution-va-reduire-les-pouvoirs-du-roi\\_1537583\\_3210.html](http://www.lemonde.fr/international/article/2011/06/17/maroc-la-nouvelle-constitution-va-reduire-les-pouvoirs-du-roi_1537583_3210.html)

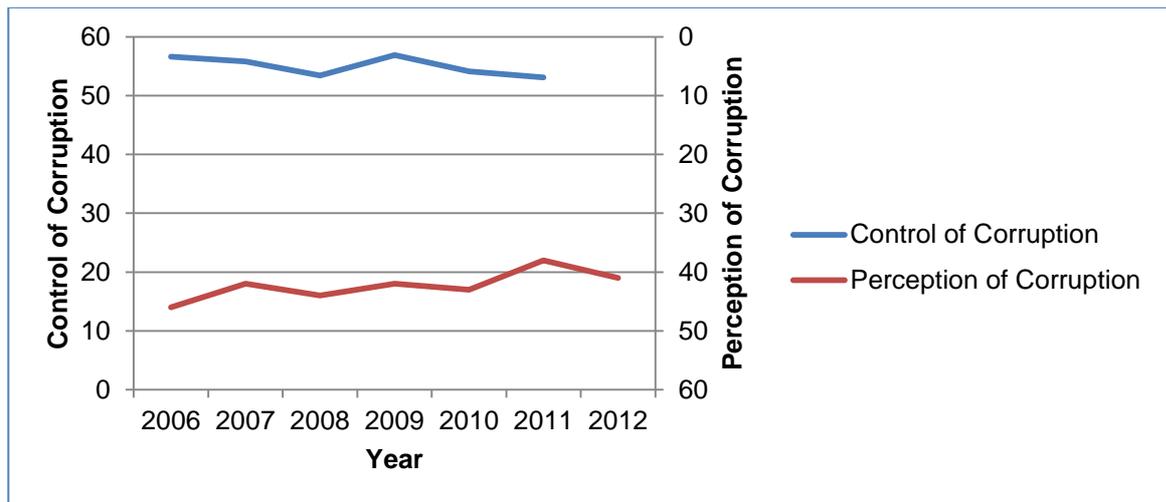
<sup>56</sup> Finance News Magazine website 23 June 2011: <http://www.financenews.press.ma/Politics/Page-4.html>

<sup>57</sup> This is the first time the prime minister holds the title of President of the Government.

and call for new elections, a sanction that has not existed in any Moroccan constitution before.

Figure 7.2 below suggests that control of corruption has remained relatively steady over the 2006-2011 period (0 = high levels of corruption and 100 = no corruption at all).

*Figure 7.2. Control of Corruption versus Perceptions of Corruption in Morocco*



Source: World Governance Indicators and Transparency International Corruptions Perceptions Index, 2006-2012

However, data from Transparency International on the perceptions of corruption suggest that ordinary citizens are not seeing the benefits of improved control of corruption. In Figure 7.1 above, we see a small deterioration in perceptions. (where 0= highly corrupt). Data for 2012 suggests a marginal improvement. This data on perceptions is supported by the field research, where we discovered that, in spite of the reforms, the frustration regarding accountability, and a substantive lack of progress remains. There is a feeling that the reforms did not go far enough, particularly when it comes to combating despotism and corruption, and accusations that the monarch’s primary collaborators are involved in industry.<sup>58</sup> Capturing statistics on the control of corruption is, by definition, difficult. This may be why international sources seem to suggest that control of corruption is improving over time in Morocco.

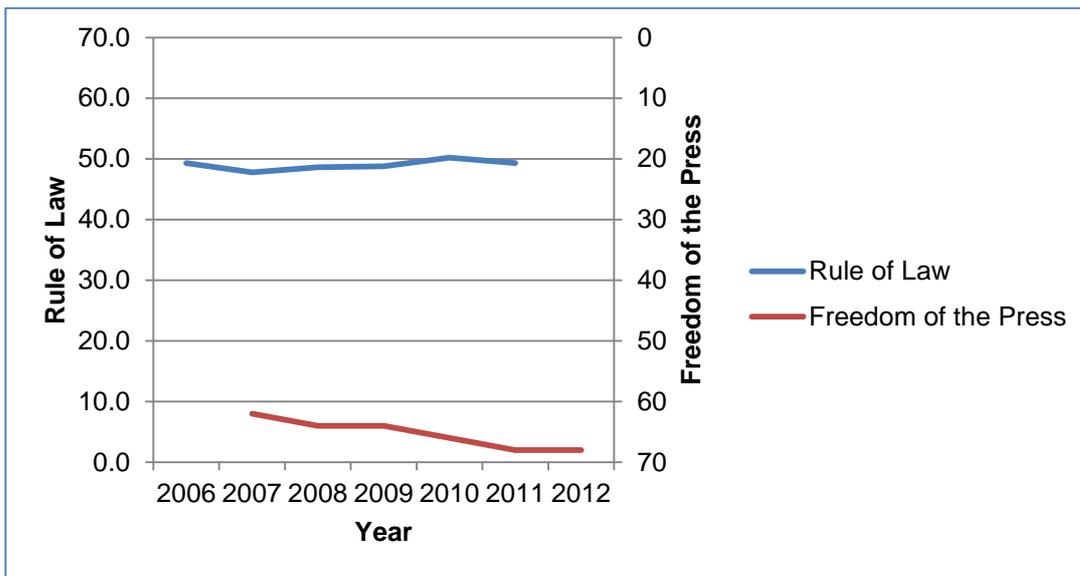
Many crucial laws and reforms are pending, such as those regarding access to information, conflict of interest, public transport licences, justice reforms and the reform of the Compensation Agency.<sup>59</sup> NGO leaders also complained about the

<sup>58</sup> In Transparency International Corruption Perception Index 2012, Morocco ranks 88. Two Arab countries, Qatar and United Arab Emirates, occupy position 27. They do better than Spain and Portugal. <http://cpi.transparency.org/cpi2012/results/>

<sup>59</sup> The Compensation Agency is a public institution which aims at stabilizing the price of basic products to protect the consumer’s buying capacity. Currently the government is working to reform this agency because based on criticisms that products which are subsidised, like sugar, benefit also to companies.

Freedom of Association Law that has not been updated since 1958. Some anxiety was expressed with regard to freedom of the press. A very popular journalist and anticorruption icon, Mr. Rachid Nini, was required to pay MAD 6 million in compensation to three state attorneys for defamation and was sentenced to one year in prison for providing misinformation about the Moroccan Domestic Intelligence Agency (DST).<sup>60</sup> Morocco currently ranks 138<sup>th</sup> in Reporters without Borders Freedom Index and over time we see a downward trend in freedom of the press (see Figure 7.3).<sup>61</sup>

*Figure 7.3. Rule of Law versus Freedom of the Press in Morocco*



Source: World Bank World Governance Indicators and Freedom House Press Freedom Index, 2006-2012

Defining priorities seems to represent a challenge for ministries. Mistaken budget allocations results in wasted investment and meagre results. The challenge in this respect seems to be to establish a government body, which is ready to embark on an inclusive approach by coordinating all the stakeholders involved to come up with an accurate and efficient allocation of the available budget.

On the local level, there exist practices such as public hearings and the isolated endeavours of some administrations to make information available on procedures and regulations that facilitate citizen’s access to administration services. However, these can be contested on the grounds of depth and a lack of meaningful participation, whereby government officials call citizens into meetings and make a speech, without listening or taking on citizens suggestions.

<sup>60</sup> About 800 000 USD.

<sup>61</sup> Press Freedom Index 2011-2012 <http://en.rsf.org/press-freedom-index-2011-2012,1043.html>

As a former Head of the Department for Social Development at the governorate in Mohammedia city, Mr. Yahyaoui maintains that the modus operandi of the National Initiative of Human Development was rooted in promoting citizen and civil society engagement in every step of development projects, from conception to realisation. For example, to resolve an issue during the scope of one of these projects, governorate officials went to the slum (El Brahma 2 Slum, near Mohammedia), talked directly to inhabitants, and also shared with them their food and collective prayer at the mosque. By the end they had resolved many issues, the most paramount of which was an agreement on the criteria for families housing eligibility.

**Outcome 2  
Indicator:  
Civil society voice**

### CSOs

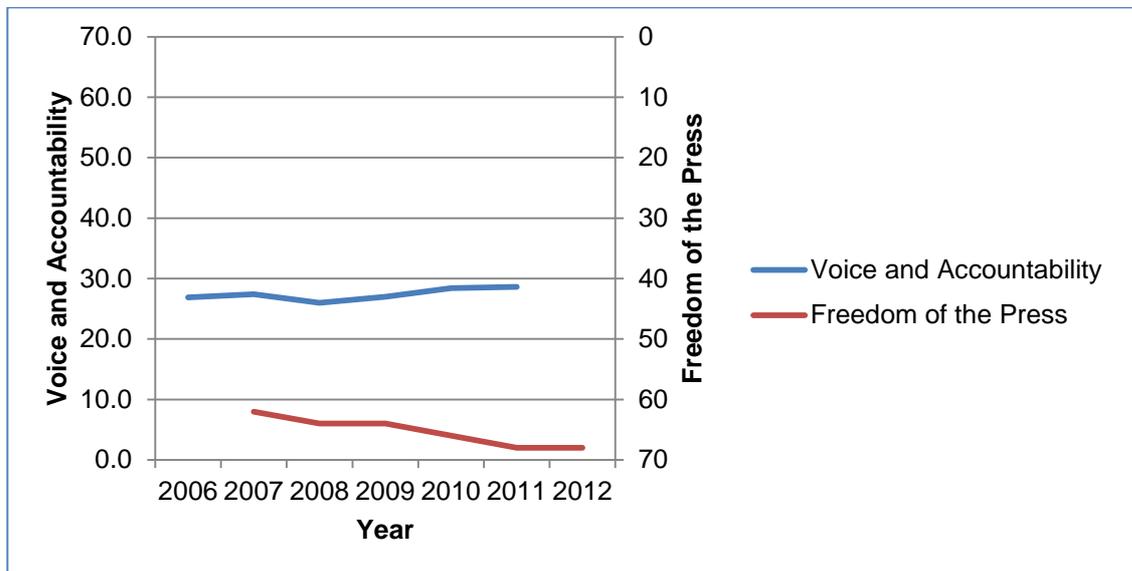
In Morocco there is a dynamic civil society, which takes the lead when it comes to holding the government accountable. CSOs are the most active, alongside human rights activists, consumer rights groups, trade unions and the media. Social movements are also taking on increased importance. Interviewees described the activities of the Parity and Democracy Movement, for example, with petitions, and there is social dialogue and street demonstrations<sup>62</sup>.

### Media

The media plays an important role in informing citizens about their rights, denouncing corruption, and highlighting political scandals. The Arabic language newspapers are among the most outspoken, such as Akhbar Al Yawm and Al Massae, as well as the private radio channels Aswat, Chada FM, and MFM. There are also public institutions that are endowed with the moral and financial autonomy to hold the government accountable. These quasi-governmental authorities include the Central Institution for Preventing Corruption, the Court of Accounts, the Competition Council, and the National Council of Human Rights. In the midst of these dynamic initiatives, political parties are lagging behind. As one regional Union Leader from Oujda city said, “The political parties support despotism. The Arab spring was a wakeup call for political leaders who found out that they are disconnected from reality”. Despite the important role of the media, Figure 7.4 draws attention to the fact that press freedom is worsening. We might expect a deterioration in voice and accountability if that trend continues.

<sup>62</sup> Social dialogue is known in Morocco as meetings between the government and the most representative trade unions in order to discuss social demands of TU. Usually it ends up with a consensus, and in case it fails unions resort to strike.

Figure 7.4. Freedom of the Press versus Voice and Accountability in Morocco



Source: World Bank World Governance Indicators and Freedom House Press Freedom Index, 2006-2012

### Trade Unions

Trade organisations such as the Engineer’s Association work on many issues related to the ministries. They discuss them and conclude their work with a memo that is submitted to the ministry. Similarly, the Federation of Youth lobbies for the rights of the Moroccan youth, pushing for larger sport and youth programme budgets. Their mission now extends to increasing the employability chances of their members, through training and company placements.

### Rural-urban dynamic

When asked about the regional difference in government response to citizen demands, there was a consensus that urban areas are much more listened to and have their demands satisfied, largely due to the pressure applied by CSOs. Rural areas seem to attract less attention and are less effective at making their demands heard. Indeed, this was the catalyst for the phenomenon that came about in the aftermath of the Moroccan demonstrations; rural dwellers marching toward the city in peaceful demonstrations—walking distances on foot—to have their voices heard. These populations, living in rural or landlocked areas, saw the gains the urban populations were making by means of protest, and began to protest accordingly. They raised social demands concerning public health, education, and infrastructure. They may not have been frequent, but the event was always highly mediated, especially when the demonstration turned into clashes between protestors and security.

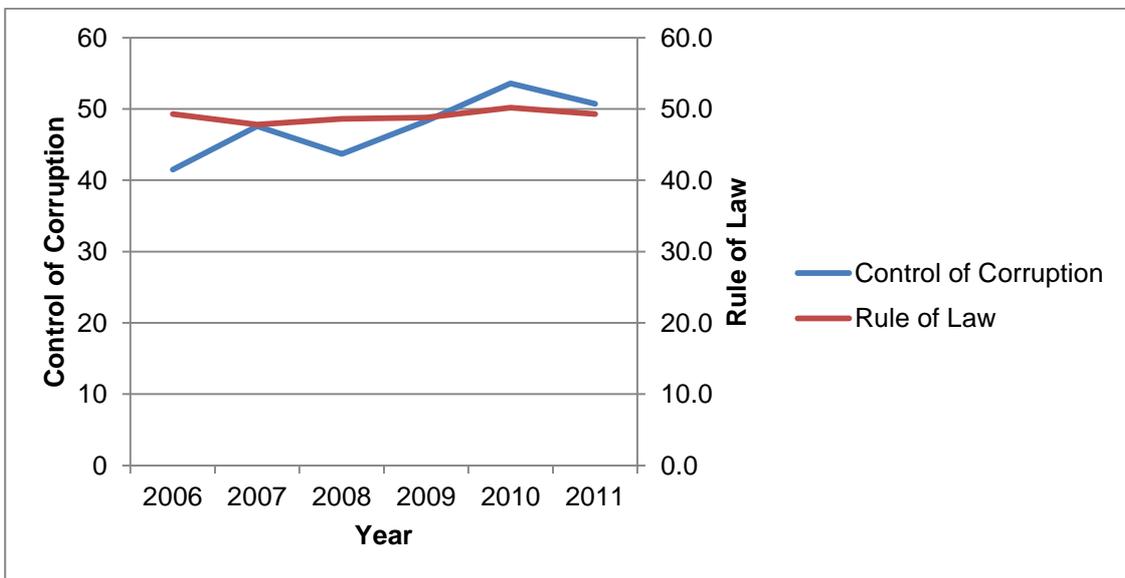
Many of the people who participated in this research stated that their organisation does not have a formal set of social accountability tools and methodologies. The three

most common tools in use in Morocco are public hearings, declaration of assets, and – to a lesser extent – the citizen charter.

The 1958 Freedom of Association law represents a challenge, as it makes it difficult for non-experienced citizens to set up an association.<sup>63</sup> Another drawback that was mentioned in a focus group was the fact that this law remains vulnerable to the interpretations of representatives of the local authority, who have the authority to refuse license to an association without communicating the reasons of the refusal to the concerned citizens. One proposal was that a license is not necessary; instead, citizens would only inform the administration of their activities.

The Court of Accounts publishes an annual report on financial and management irregularities in certain organisations. The report is made available in both a hard and a soft copy. Although this is an improvement in terms of transparency, it rarely goes beyond this, with legal action against counterfeiters. As one respondent says in this context, when transparency does not lead to accountability it creates frustration. Indeed, that is one of the catalysts behind the 20<sup>th</sup> February movement. The same can be said about the individual initiatives of some ministries which made public documents comprising information about those who benefit from unjustified advantages such public transport licenses, marble and sand mines, and government housing. The lists were published online and in newspapers, but no action to amend for the irregularities was taken. Figure 7.5 below highlights this. While corruption controls have increased significantly in Morocco since 2008, there has been no correlated change in the rule of law whatsoever.

*Figure 7.5. Control of Corruption V Rule of Law in Morocco*



Source: World Bank World Governance Indicators 2006-2011

<sup>63</sup> According the High Planning commission last statistics of 2007, the number of associations in Morocco is 44.771. <http://www.hcp.ma/file/117492/>

## 7.5 Lessons Learned

Not everyone agrees with the claim that the government started to bow under pressure to every demand to avoid demonstrations. Participants in the research say that this situation created an atmosphere of chaos as people tend to abuse this prerogative. The same reservations were made about the government raising salaries at a time when the state economy was suffering. Mr. Omar Iharchane, a leading academic, alerts us to the fact that the Moroccan government acknowledges that though each year there is a budget deficit of about MAD 50bn, the state neither cuts spending nor does it look for alternative resources. Instead, they make recourse to foreign debt and privatisation. In the long term this may lead to a situation similar to that of the Greek economy. On the other hand, the reinforcement of the social accountability institutional arsenal is deemed to be the most important success so far which is equal only to the fact that, thanks to the new constitution, the prime minister is no longer chosen by the king, but through the political party which scores highest in the elections.

The impact of social accountability is greater when citizens have access to information. Many government and non-government institutions rely on the internet to communicate vital information. Whilst this is a positive step in the right direction in terms of government openness, in a country where 40%<sup>64</sup> of the population is illiterate, and the percentage of people with access to the internet is just 49% “classic” means of communication remain important.

*“A citizen who is not informed behaves wrongly and makes wrong choices”.*

President of the National Federation of Consumers

There is a discrediting of elected bodies as agents for observing and holding the executive accountable. Investigation commissions in the parliament, for example, which are meant to investigate irregularities in public administration, are inefficient in the sense that they either they do not complete their mission when faced with lobbies, or they publish a report which remains at the consultative level. At the local level, many representatives are regarded as accomplices of despotism. This is one of the factors that explain the regularly low rate of participation in elections. In the 2011 parliamentary elections, despite the new constitution and the massive government communication, participation was still only 37%<sup>65</sup>. Meanwhile, civil society confirms its leading position in terms of mobilising people, not only in demonstrations, but also in spreading information and tracking government actions.

The phenomenon of the rural populations marching on urban governorates suggests that there is a need to develop means of engagement for those populations to utilise.

<sup>64</sup> See UNDP data : <http://hdrstats.undp.org/en/countries/profiles/mar.html>

<sup>65</sup> In 2007 legislative elections only 37% turned out. In 2011 it was 45%. See Le Parisien newspaper: <http://www.leparisien.fr/international/elections-au-maroc-participation-en-hausse-par-rapport-a-2007-25-11-2011-1738610.php>

This could reduce the threat of potential anarchy and chaos that may result out of excessive and non-organised protest or strikes.

## 7.6 Morocco Case Studies

### Case Study 1: Social Development through a Multi-Stakeholder Approach

The Communal Development Plan for the Child is the result of a joint initiative by the Ministry of the Moroccan Interior and UNICEF. It was launched in five pilot communes and is aimed at fostering the emergence of a local dynamic, through reinforcing the capacities of elected bodies.

In the small town of Ail Oullal, community involvement was solidified through the establishment of a communal committee, which is chaired by the commune president and comprised of local administration clerks, elected persons, external service, and local associations. Having undergone extensive training, all stakeholders began a participative diagnostic exercise, which resulted in the definition of eight priority pillars of intervention:

1. Pre-school education
2. Primary education
3. Middle school education
4. Combating illiteracy
5. Health of the mother and the child
6. Hygiene
7. Participation and protection of the child
8. Increasing families' income

These priority pillars have been translated into a Communal Development Plan for the Child, which comprises 15 ambitious projects, costing MAD 14 million. The first annual action plans allowed, thanks to the established partnerships, the execution of 7 priority projects with a global budget of MAD 2.5 million. To ensure the success of the remaining projects, members of the commune council have benefited from advocacy and fund-raising training.

### Case Study 2: Jet Sakane: An example of Corporate Social Responsibility

The Moroccan Confederation of Enterprises (CGEM) adopted a Social Responsibility Charter to pay tribute to companies already engaged in social responsibility practices and encourage companies that have yet to integrate these values.

The main principle adopted by the CGEM is that companies are held accountable for their actions, not only towards their business partners, but also to public opinion. In

this respect, CGEM do not require companies to simply guarantee value for money, but to ensure that its production process is respectful of both human dignity and the environment.

Jet Sakane specialises in residential real estate, employing up to 100 staff with an approximately 50:50 male to female ratio. Trade union freedom is stipulated in the internal rules and the five personnel representatives hold periodic meetings. The company has adopted an annual training plan committed to social dialogue and health and safety; more specifically, preventing accidents and work-based illness. Sub-contractors are bound by a special prescriptions manual that obligates companies to abide by health and safety standards on construction sites, as well as during the procedures for stock treatment and elimination of wastes.

Jet Sakane states that environmental issues and customer satisfaction are at the heart of their concept of co-ownership. 30% of real estate developments are devoted to green space and collective and social equipment. A decade-long management system of co-ownership has allowed the company to establish illiteracy and computer classes, kindergartens, assistance courses, miscellaneous services at a competitive price for common maintenance tasks.

## 7.7 Social Accountability in Morocco SWOT Analysis

Strengths	Weaknesses
<p>General</p> <ul style="list-style-type: none"> <li>- Accountability is constitutional</li> <li>- Freedom of association allowed the emergence of an active civil society with more than 45 000 associations.</li> </ul> <p>Access to information and financial transparency</p> <ul style="list-style-type: none"> <li>- An existing platform of NGOs working on some SA pillars: e.g. Access to information and financial transparency</li> <li>- The current government has shown openness in tackling issues related to access to information and the prevention of corruption.</li> <li>- Some successful experiences in participative governance can serve as a model for a SA project: egg. National Initiative for Human Development) INDH.</li> </ul>	<p>General</p> <ul style="list-style-type: none"> <li>- There is a pronounced lack of knowledge about the concept of SA.</li> <li>- The narrow interpretation of Social Accountability to merely “accountability” of individual persons in senior positions.</li> <li>- Social Accountability is regarded as a new concept brought by the World Bank.</li> </ul> <p>Access to information and financial transparency</p> <ul style="list-style-type: none"> <li>- A shortage in SA tools and methodologies at the local level.</li> <li>- Corruption is still widespread despite reforms promised by the Islamist government.</li> <li>- After almost two years of the referendum on the constitution, the article on access to information has not been translated into laws.</li> </ul>
Opportunities	Threat
<ul style="list-style-type: none"> <li>- Events in other Arab countries made the Moroccan government create channels to listen to people’s demands and involve them in decision-making.</li> <li>- International organisations are launching initiatives to promote SA and good governance in Morocco.</li> <li>- A social peace and political stability that allows for the building of trust and dialogue between different stakeholders.</li> <li>- A positive welcome of different stakeholders of any initiative that aims at improving governance and combat corruption.</li> </ul>	<ul style="list-style-type: none"> <li>- Frustration caused by the slow process of reforms.</li> <li>- The wide belief of impunity among senior official offenders.</li> <li>- The reform of the justice is taking.</li> <li>- Some old laws that hinder freedom of association and access to information are still being referred to.</li> </ul>

## 8. Palestine

*“Regardless of how much progress we make in order to promote social accountability in Palestine, will that answer the basic request of people to end the Israeli occupation?”*

Interviewee, January 2013

### 8.1 Social Accountability in Palestine

Palestine<sup>66</sup> is a context characterised by features that make it different from almost any other place. It is under on-going occupation, with a national authority that does not have control over most of its land, natural resources, borders, access and movement of people. It is divided over two disconnected geographical regions (West Bank and Gaza). The 2007 split by Hamas from the Palestinian Authority also means that the Gaza and the West Bank are ruled, respectively, by Hamas and by the Palestinian Authority.

As explained in Research Limitations (section 2.5), the unique political context of Palestine has meant that this research has had to assume that Hamas and the Palestinian Authority have executive control over service delivery in the two territories, although we recognise that both parties do have limited power in controlling essential sovereign elements, particularly, borders, access and movements for people and goods in West Bank and Gaza, on the other hand East Jerusalem is under the full control of Israeli authorities and the Palestinian authorities have no access to the Palestinian population. However Palestinian Jerusalemites and institutions serving them were including in this research, since East Jerusalem is an integral part of the occupied Palestinian territories.

In the context of regional changes resulting from the Arab Spring and the tacit legitimisation of political Islam, the political and diplomatic moves of the Palestinian Liberation Organisation (PLO) have become increasingly tentative and, indeed, contradictory. During 2012 and early 2013, the PLO announced the completion of a two year state-building project in the West Bank; led an inconclusive national reconciliation process with Hamas in Gaza; and launched an international diplomatic “state-recognition” campaign in the UN, that was self-aborted just as it was being launched. New forces loom on the horizon, especially an emboldened Hamas whose associates are assuming power across the region. Of more recent genealogy, a diffuse, more youthful coalition of social forces has entered the scene. They are

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<sup>66</sup> For the purposes of this study, we are using the World Bank/ANSA-AW standardised terminology of Palestine, to refer to the West Bank and Gaza Strip, also known as the occupied Palestinian territories (oPt) or Occupied Palestinian Territories (OPT).

inspired by and learning from the unfolding revolutionary turmoil among their own young Arab “brethren”.<sup>67</sup>

This unorganised movement appears to currently be testing the waters, uncertain whether strategies should target the PLO or Israeli occupation, or both, with demonstrations one day outside the Muqata’a (PA headquarters in Ramallah) and the next day “Freedom Riders” challenging the Israeli occupation regime.

## 8.2 Perceptions of Social Accountability in Palestine

A demand for the establishment of channels for assuring public sector accountability is diffused in general public opinion as evidenced by the *Palestinians for Dignity* protests. The abuse of power and misconduct are rarely the subject of investigation.<sup>68</sup> Nepotism, family connections and political affiliation are considered major obstacles to equal opportunities in job placement, particularly in the public sector.

Further obstacles to social accountability are: a) the Israeli occupation which *de facto* reduces the capacity of the Palestinian Authority, and often is used as an excuse for ineffectiveness, inefficiency and mal-functioning services); b) the weakness of trade unions and social movements; c) the disconnect between CSO elites and public audiences; d) people’s mistrust in public authorities and CSOs’ increasing individualism; e) and lack of consensus and of shared vision among key non-state actors.

In this context, the concept of social accountability is relatively new, having been introduced in the last four to five years. It is not easily interpreted either: the Arabic word “Al Musaa’la” – used for translating “social accountability” - is weaker than the original word in English. It denotes the power relationship between “Al Massouleen” (the person/s in charge), and the general public. Nevertheless, Arab and regional history refers to example of good leaders as those who have shown sense of accountability to their people.

Through this research, we found that social accountability is frequently thought of as a synonym for anti-corruption. It is considered a western term, but one that can and should be applied to Palestine. Participants in the research felt that the relevance of

**What do you understand by social accountability in Palestine?**

- Accountability
- Anti-corruption
- Improved trust
- Shared vision

<sup>67</sup> Raja Khaldi, *After the Arab Spring in Palestine: Contesting the Neoliberal Narrative of Palestinian National Liberation*, Jadaliyya, March 23, 2012.

<sup>68</sup> Muna Ishaq from Arij and Najwa Darwish from Badil Interview with in January 26, 2013, interview with Bader Zaa’mrieh-Sahrek, youth organization CEO, January 22, 2013, and S. Hanafi and Linda Tabar, Donors, International organizations, local NGOs. *Emergence of the Palestinian Globalised Elite*. Washington: Institute of Palestine Studies and Ramallah: Muwatin, 2005. Amaney A. Jamal, *Barriers to Democracy: The Other Side of Social Capital in Palestine and the Arab world*, Princeton university press, 2007.

the term for Palestine and the Arab World became more visible after the Arab Spring movements. Following the Arab Spring, governments and the public sector started to pay increased attention towards citizen debate, by holding public sessions and opening spaces for criticism and debate on public decisions, albeit in a limited way.

### 8.3 Pillar Analysis

All four social accountability pillars highlighted by ANSA-AW are relevant and may be critical to the Palestinian case. However, the majority of the 22 interviewees in this research consider the lack of free access to information as the most critical. By way of explanation, there is no legislation that governs the right to information, so access to information is based on leaked data only. The free media does not exist without linkages with ruling political parties (Fatha in the West Bank and Hamas in Gaza), and there is no legislation or system to protect actors engaged in social accountability and anti-corruption activities.

The judicial system is weak, with little independence from politics, and while Freedom of Association is legally granted, measures are frequently undertaken by the government in both Gaza and the West Bank that violate the rights of association for Opposition. Indeed, CSO transparency and accountability is often used as an accusation against these organisations (e.g. Sharek in Gaza, or Hamas-affiliated organisations in the West Bank).

Community-led monitoring is relatively common in the work of CSOs, as evidenced by town hall meetings; public hearing sessions (to officials when the Palestinian Authority develops projects), and in monitoring and evaluation of spending.

Financial transparency of the public sector has improved under the current government of Fayad, however some differences were identified, with the Palestinian Authority in Ramallah being more open to such methods than in Gaza.

The two pillars of most interest in Palestine were therefore considered to be Access to Information and Freedom of Association.

Figure 8.1. Palestine – Baseline Status of Pillars

	Access to information	Freedom of association	Financial transparency	Citizen-led monitoring
Relevance (rank 1-4, with 1 as priority)	1	2	3	3
Status of legislation	<p>No specific law or legislation addressing the right for access to information.</p> <p>There is legislation to support press freedom and its support by officials.</p>	<p>The original restrictive law was liberalised in 2000 (up to 2012) - considered the most liberal association law in the ME counties.</p> <p>Freedom of association is guaranteed by Article 26(2), which states that all Palestinians have the right, both individually and in groups, "to form and establish unions, associations, societies, clubs and popular institutions in accordance with the law."</p> <p><i>The Law on Charitable Associations and Community Foundations (Law 1 of 2000).</i></p>	<p>No legislation, but donors requirements fall under external aid effectiveness</p>	<p>No Legislations - however a wide interpretation of consumer protection laws could act as a platform to endorse some of the community led monitoring actions</p>
Effectiveness of legislation	<p>Limited legislation – absence of law and political fragmentation.</p> <p>The press law capacity as a tool to enable access to information is weak.</p>	<p>Interior minister of the PNA has put in place procedures requiring that all associations must have a legal status (charity, NGO, network) to gain security clearance.</p> <p>Associations formed are also required to respect and work in line with national interests.</p>	<p>The Prime Minister led a reform to publish government budgetary information; collaboration with CSOs and the media was a big part of this.</p> <p>Lack of trust in government data and publications</p>	<p>Law enforcement is in effective; no critical cases of corruption retribution been taken forward leaves Palestinians with the feeling their monitoring or complaints are ineffective</p>

## i. Access to Information in Palestine

*“The absence of free and independent media in Palestine is a shame”*

Interviewee in Amin, January 2013

Almost all people interviewed for this research agreed that the lack of free access to information in Palestine could hinder all the other rights that people have. It is a cornerstone in the Citizens’ Rights bill. Access to information enhances the citizens’ capacity to control public resources, manage and plan ahead, and allow the tracking of misconduct and holding to account the authorities that abuse their power.

In the Palestinian context, under continuous occupation and ongoing Israeli incursions, the PA’s ability to supply and protect its citizen’s basic need for security is very much limited. On the other hand, the peaceful struggle to end the Israeli occupation needs to be based on data and information to support the clear articulation of Israeli violations. Participants gave three critical examples from the last years:

1. The war against Gaza in 2008, and the PA’s (in Ramallah) decision to pull the UN special report (the “Goldstone” report), without making legal use of it to hold Israel accountable for its actions and violations during the war on Gaza, which resulted in the killing of tens of innocent people;
2. The Palestinian official report following Arafat’s death;
3. The allegations of misconduct at the Palestinian national fund (the main holder of the PLO’s financial resources and the one in charge for managing those resources).

The three cases above illustrate how the general public has to rely on “leaked data” as the main source of their information.<sup>69</sup> In this context, it is impossible for them to judge what is right or wrong, and who should be held to account.

Palestinians rely on media and mass communications for much of the information they access. Prior to the establishment of the PA, Palestinians did not have a fully free and independent media operating under the Israeli occupation. After the establishment of the PA, it is almost impossible to have free media without direct or indirect political linkages to the ruling powers in the PA in the West Bank and Gaza. Journalists cannot have normal and free access to even basic data, and they are fully dependent in their work on the goodwill of people in public authorities to share information.

There is no legislation governing the right to access to information. Moreover, there is also a lack of legislation to protect social accountability actors and anti-corruption bearers, in addition to a weak juridical system, far from being independent and unable

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<sup>69</sup> According to one interviewee in January 2013

to hold major stakeholders into account (e.g. security commanders, senior politicians and officials).

In the last year, a coalition to promote the right to free access of information was formed (mainly consisting of CSO actors), and a draft bill was fully completed and readied for submission. Since the Legislative Council is not operating, however, members of the coalition have been reluctant to use the alternative approach, which would be to go directly to President Abbas directly for approval of the bill. This would go against the fundamental principle, which they hold strongly, of the separation of authorities.

## ii. Freedom of Association in Palestine

In spite of political pressure and violations of rights in both West Bank and Gaza, Freedom of Association under the PA laws is relatively advanced. Many of the Palestinian CSOs existed prior to the PA, and have contributed a great deal to the Palestinian people's struggle to end the Israeli occupation, aligned with their respected roles and experience in service delivery.

Following the establishment of the PA, CSOs mushroomed in number. Currently there are more than 5,000 CSOs registered, however only approximately 2,000 are active according to one interviewee. The relationship between the PA and CSOs remains strained, due to competition over credibility, legitimacy and resources. Moreover, in the first couple of years after the establishment of the PA in 1994, it tried to impose restrictions on the right to form and operate a CSO. Fortunately these attempts failed, and CSOs can lobby many of the key local and international stakeholders to support their right to act freely.

The main element of the regulatory framework concerning civil society organisations is the Law of Charitable Associations and Community Organisations (Law No. 1, Year 2000).<sup>70</sup> This law was established by the Palestinian Legislative Council, and formalises the right of Palestinian citizens "to practice social, cultural, professional and scientific activity in all freedom, including the right to establish and run Associations and Community Organisations" (article 1), and it defines the conditions and the modalities for exercising this right, according to the main norms outlined below.<sup>71</sup>

The law provides a definition of the concerned organisations:

"Any charitable Association or Community Organisation with an independent judicial personality, established upon an agreement

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<sup>70</sup> By effect of this law the preceding laws on CSO - the Ottoman Law of Charitable Organizations issued on 29 Rajab 1327 A.H. and the Law of Charitable Organizations number 33 for the year 1966 effective in Palestine – have been repealed.

<sup>71</sup> Palestinian Legislative Council, Law of Charitable Associations and Community Organizations, Law No. 1, Year 2000.

(<http://www.pogar.org/publications/other/laws/associations/charlaw-comorg-pal-00-e.pdf>)

concluded among no less than seven persons to achieve legitimate objectives of public concern, without aiming at attaining financial profits to be shared among the members or achieving any personal benefits. The law does not distinguish between CBOs, NGOs, Networks, Coalitions and trade unions, all are subject to the same rules and conditions, however under the Ministry of Youth and Sports as well as under the Ministry of Agriculture, people can establish their own organisations (e.g. youth club, sports team, and a farmers’ cooperative....) with no need to be registered under the law of charitable societies, governed by the Ministry of Interior.”

At the time of writing, Law 1/2000 is being debated. On the one hand, the PA and the Ministry of Interior claim a greater authority and control over the CSOs: from their point of view the issue of the coordination among CSOs and public authorities is not well defined; no control exists over the activities carried out by CSOs and their impact; and CSOs often hide specific political interests or even private interests. On the other hand, from the perspective of the CSOs, they want a more robust interpretation of the law, so that tactics such as delaying registration are not such a common phenomenon.

Both CSOs and public authorities seem to consider the law as a tool unable to guarantee the quality of CSOs and their actions: both claim for greater attention to corruption and to bad internal governance.

According to most participants in this research, the major setback in social accountability has been with regards to freedom of association, where public authorities have performed harsh actions violating the right for freedom of association particularly for the opposition (i.e. Hamas in the West Bank and Fatah in Gaza). Human rights organisations criticised the public authorities’ actions on both sides. CSOs led by AMAN lobbied successfully to terminate the new procedure by the Ministry of Interior in Ramallah, conditioning approval of registration for new CSOs by obtaining security clearance. In Gaza, following the Hamas government decision to close the offices of the Sharek youth forum and to prevent them from holding activities, CSOs and their international allies campaigned against the decision and put pressure through an appeal in the local court in Gaza. The Hamas government refused to change its decision.

## 8.4 Social Accountability Practices in Palestine



### Government

The Palestinian Authority in Ramallah has established various legislation and mechanisms to promote accountability and attempt to curb corruption. Examples include the Basic Law, Elections Law, Money Laundry Law, Consumer Protection Law, Anticorruption Law, and the Standards and Specifications Law. The Human Rights Independent Commission, for example, has made achievements with regards to

protecting civilian rights (for example rights of people with disabilities). It has also made joint efforts with other key human rights organisations in their efforts to promote law and order. The Commission was established in 1995 and was shortly followed by the establishment of the State Audit and internal Monitoring and Complaints departments in the Palestinian Authority institutions. The Palestinian Anti-Corruption Commission (PACC) – dealing with selective cases involving junior officials – was established in 2010 and the human rights department in the Police was established in 2011.

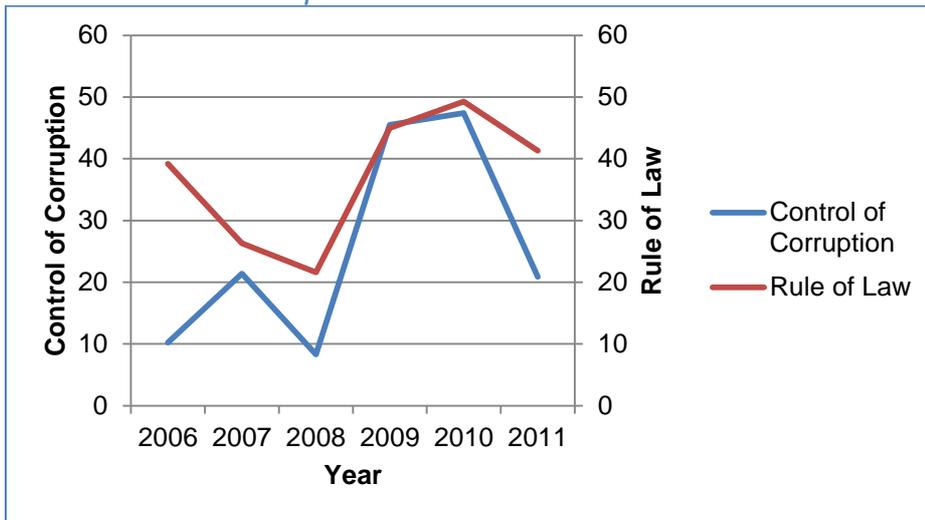
Public campaigns started by AMAN concerning the efficient use of resources by the government led the Prime Minister to issue a new regulation, limiting the private use of official cars (the initial ban regarding the private use of official cars was removed under pressure of officers, mainly affiliated to the party supporting the Prime Minister).

Many measures have been adopted by both government and CSOs to satisfy the accountability demands of international donors. These include the development and enhancement of audit tools, financial management and transparent control systems. The PA, especially in the West Bank, has made significant progress in promoting procedures relevant to transparent budgeting and finance management as well as collaboration with citizen or CSO-led monitoring actions. Nevertheless, CSO organisations in Palestine have made good progress in applying many of the good governance tools to their work and operation, enhancing their accountability systems and procedures, such as audit reports, financial management accountable tools, codes of conduct and the online publication of financial reports.

The Palestinian Legislative Council is no longer active and it is an obstacle for reforming legal frameworks, following the last election results and resulting political dispute. Freedoms were restricted and organisations shut down. Selective and non-effective law enforcement, a weak judiciary system far from being independent, as well as discrimination on the bases of political affiliation add to a security-driven approach of the local authority. This has led to more restrictions on laws that had some space for upholding freedoms and hinders the possibilities to endorse new critical legislation relevant to social accountability.

Figure 8.2 below illustrates the close correlation between the control of corruption and the rule of law, where the latter is defined as the extent to which citizens have confidence in and abide by the rules of society.

Figure 8.2. Control of Corruption versus Rule of Law in Palestine



Source: World Bank World Governance Indicators, 2006-2011.

**Outcome 2 Indicator: Civil society voice**

**CSOs**

There are many CSOs practicing social accountability. Watchdog CSOs monitor public spend and budgeting (Miftah, WCLAC and others on gender sensitive budgeting); and lobby and advocacy groups seek to uphold specific groups rights (Al Haq, the Independent Commission for Human Rights, the YMCA and many others promoting rights of people with disability in the job market).

Despite the increasing restrictions on the civil society sector, leading human rights organisations, service providers in health, education and agriculture sectors, as well as networks and umbrella organisations, have all managed to influence government response in those fields. Factors that contributed to these successes are the use of various tools and approaches that are related to social accountability, such as public hearing sessions and the filing of complaints.

CSOs in Palestine have made good progress in applying many of the good governance tools to their work and operation, enhancing their accountability systems and procedures e.g. code of conduct and online publication for financial reports.

CSOs, trade unions and the charitable society have greater credibility than in other countries in the region. This can be attributed to the fact that they were established in full independence from the state authorities.<sup>72</sup> CSOs actually played a critical role in public functions well before the establishment of the Palestinian Authority, exposing

<sup>72</sup> Jamal Atamneh et al (2011) *Mapping study of civil society organisations in the occupied Palestinian Territory*, SOGES, final report funded by the EC. Available here: [http://eeas.europa.eu/delegations/westbank/documents/news/20110712\\_ngomapping\\_en.pdf](http://eeas.europa.eu/delegations/westbank/documents/news/20110712_ngomapping_en.pdf)

and confronting many complaints against the Israeli occupation forces. For a while they were considered the main service provider in Palestine, and they continue to play a key role in service provision. Many CSOs, especially those working on human rights, continue to lead in the struggle to end the Israeli occupation. Meanwhile larger NGOs, including AMAN, Miftah, PARC, PHG, PNGO, NDC and others, have participated in the development of transparency mechanisms to hold public officials to account.

Civil society developed and enhanced many methods applied in their programs to enforce accountability. Some examples are:

- Holding and monitoring PLC and local elections in 1996 and 2005, 2006, a great number of organisation took part (human rights groups, WCLAC, Shams and others);
- Organising town hall meetings and public hearings of Mayors, by AMAN, Arij and Sharek;
- Producing and publishing annual reports on the Performance and Democratic Transformation of Palestinian Authority institutions, by ATF and AMAN;
- Holding roundtable meetings with the Palestinian Authority policymakers, by Mowatin, MAS, PASSIA, AMAN, Bisan, ATF and academic institutions.

Civil society organisations have played a mediation role in holding the government to account and in bridging growing gaps between the two rival parties and their governments in Gaza and the West Bank. The NGO AMAN complained against public officials and organised hearing sessions with different ministers. An example is a hearing session organised with the Minister of Economy, to address overcharging and billing manipulations practiced by telecommunication companies. In addition, CSOs held the Gaza-based Minister of Health to account for delaying the medical referral of patients from Gaza to hospitals in the West Bank. Similarly PNGO and other organisations mediated the return of the Palestinian Authority-paid public school teachers to work following the Hamas takeover of Gaza. Arij and Sharek have held local authorities and municipalities to account in relation to different responsibilities they assume, e.g. solid waste treatment, local communities and citizens participation in decision making, formulating strategies as well as programs relevant to sectors like youth.

The NGO Badil cares with the rights of refugees, actions conducted in refugee camps, new research, policy and community based work. It only begins work after discussion and approval by the refugee camps coordinating committees to make sure the consultation process starts from the initial stage of the planning until the final close of the action.

The research also identified several efforts by CSOs to hold themselves to account. The NGO Development Centre (NDC) has developed a “code of conduct” for the NGO sector, listing the rules and conditions of good governance that should be met, including auditing and bookkeeping. Local NGOs seeking the support of NDC have to meet the good governance standards listed in the code of conduct. AMAN, similarly,

has developed a good governance annual certificate for CSOs and an Annual anti-corruption competition.

However, the social, political and economical vulnerability of citizens, added to the elitist discourse of leading non-state actors, can serve to hinder the mobilisation of public opinion and contribute negatively to the level of trust people have both in public authorities and in CSOs. Opportunistic and individualist driven interests become a key calculation in the daily lives of many of the people, especially the young generation, or what is called the “new middle class” in Palestine.

## **Private Sector**

Our interviews revealed the private sector is not easily held accountable.<sup>73</sup> The weakness of the Palestinian Authority does not allow the enforcement of existing rules promoting transparency, minimising monopolies and conflicts of interest in the private sector.

REACH, a private customer service company, enforces transparent measures to contracting, crediting, hiring and firing policies. It has also developed an appeals system. REACH is one of the few private sector workplaces found to meet the legal requirement of employing people with disability, which is meant to be not less than 5% of total employees.

## **Trade Unions**

Unions and networks hold to strict membership criteria and require members to sign a code of conduct, conflict of interest act and a declaration of their assets. These unions and networks have a follow up mechanism to ensure the compliance of members to these principles.

In 2012, trade unions were involved in a campaign, alongside civil society and social activists, for the enforcement of minimal wage law, with partial success. The Teachers Union, media and human rights organisations successfully campaigned and advocated against the decision of the Ministry of Education to fire teachers because of their political affiliation.

## **Media**

Publishing information and conducting investigative journalism were mentioned as key ways in which social accountability can be promoted. Among the activities observed:

- Electronic media: Online newspapers and webpages like AMIN;
- Social Media: Facebook pages, YouTube, bloggers;

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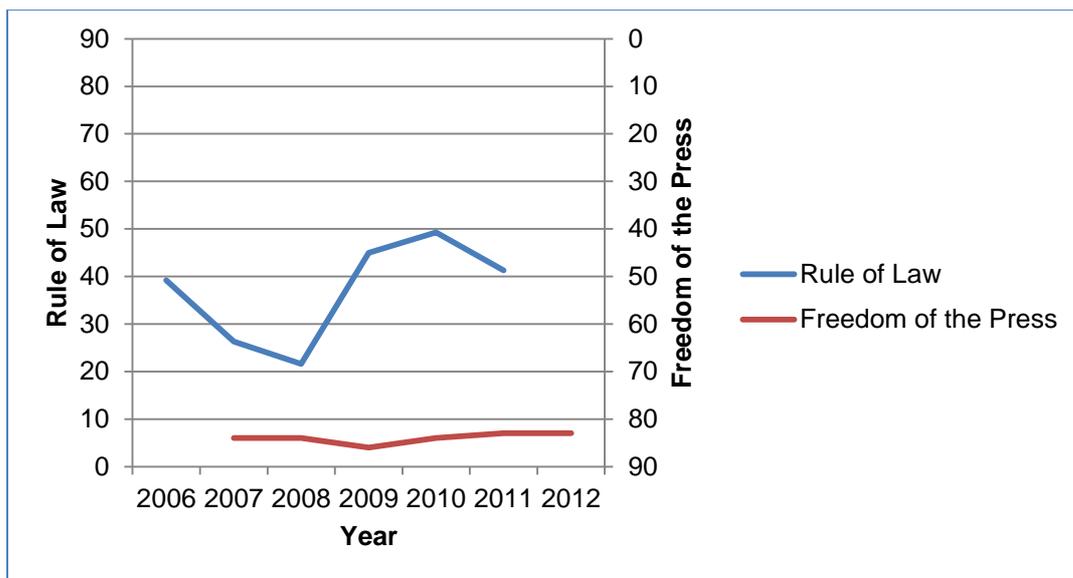
<sup>73</sup> Interview with Hanan Taha, Paltrade CEO, January 2013, Focus group meetings in Gaza, Nablus and Ramallah January 2013.

- Individual journalists and columnists address corruption in the Palestinian Authority and the misuse of power. Yousef Al Shaieb;
- Individual appeals by citizens in the media to the President concerning performance or the abuse of citizens' rights, by organisations such as Maa'n and AMIN;

There is, however, an absence of free media, and journalists are fearful of being sanctioned by government. This threat continues to restrict the limited spaces for community participation and lack of participation in decision-making.

The figure below, utilising data from Freedom House, suggests that press freedom has remained relatively stagnant since 2007. It is worthwhile noting that this level is the lowest in the Arab region. Perceptions about the rule of law, on the other hand, have changed quite dramatically. It is difficult to see how a free press can exert any influence over the stability of the territories given the external forces in charge.

*Figure 8.3. Rule of Law versus Freedom of the Press in Palestine*



Source: World Bank World Governance Indicators and Freedom House Press Freedom Index, 2006-2012.

## 8.5 Lessons Learned

As described above and in spite of the growing restrictions and overall setbacks, many organisations have managed to influence government responses in various areas regarding health, education and general public services.

With the absence of respected legal frameworks regulating the forms of social accountability, public authorities and private sector collaboration and improvements are fewer and very much voluntary.

Fragile realities make it more complicated to enforce social accountability, as one interviewee said, “regardless how much progress we make in order to promote social accountability in Palestine, will that answer the basic request of people to end the Israeli occupation?”<sup>74</sup>

Coordination and collaboration between the public authorities and CSO as well as with private sector, can significantly improve the social accountability level of the country especially the efficient use of public and natural resources.

Participants in this research felt that democracy is not about elections once every couple of years, but that rather the general public in Palestine is desperate for ways and means to participate in decision-making and promoting social accountability. So large is the disconnect between the elites and the general public that progress and practice is often hindered. The most successful interventions have been able to bridge this gap and bring the two sides closer together through the use of social accountability tools.

## 8.6 Palestine Case studies

### Case study 1. Sharek Youth Forum

Sharek Youth Forum, the leading youth CSO in Palestine, stresses the importance of its Enhancing Accountability programme. The programme promotes accountability at the level of the local councils and municipalities by establishing and training youth groups from these villages and towns on monitoring mechanisms and accountability measures that can be used to improve the work of local authorities. In 2012 the programme was implemented in 25 villages, towns and cities in the West Bank, where the mayors agreed to participate and collaborate. The youth attend the town council meetings then develop one or two ideas that they want to take forward and promote a solution for at the local level.

In Arab Rashiedeh, a Bedouin community east of Bethlehem, the youth found that the communities had very limited access to basic services, and that their voices were not heard by the authorities, since they were far from main cities and were not considered powerful. The Sharek youth group realised most of the area lacked access to landline and mobile telecommunications services. In 2012 Sharek produced a report on the case, approached the media, PA officials, and later the two Palestinian mobile companies. This resulted in the people of Al Rashaiedeh being connected to mobile phone services.

The Sharek case became a major success story and is well known at local, regional and national levels. It even became popular among many of the mayors who felt it could be a good opportunity for them to enhance the positive image of their municipalities and to promote citizen participation. This success has helped Sharek to

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<sup>74</sup> Interview with Shams CEO. Dr. Omar January 18, 2013

continue promoting its larger objective of increasing youth representation in local authorities and councils, and to promote a belief in the notion that activism can achieve positive results.

## Case study 2. Community Media Centre

The Community Media Centre (CMC) is a non-profit independent organisation founded in 2007 in Gaza, for the purpose of utilising media to empower communities and address social and community related issues. It has encountered many difficulties and restrictions imposed by local authorities since it was established. First of all, the government imposed restrictions on the organisation for it not to accept funding from any non-Palestinian organisation before getting clearance from the government on the organisation and the proposal. This is illegal and CMC tried through negotiations and mediation to remove this restriction. The Ministry of Interior then prohibited CMC from carrying out any public event before seeking written approval from: Ministry of Interior, Police, Ministry of Information and Government Media Office. Seeking approvals means that the government must see and agree the content of every single public event that CMC is organising. This is unconstitutional and illegal by law.

Despite such challenges, CMC kept a relatively lower profile to avoid any direct confrontation with the government. In previous events organised by CMC, Government Media Office demanded to see documentary films that were produced by fresh media graduates before they were screened during the event. After the government Media Office had reviewed the films, they banned CMC from screening further films that address medical mistakes in public hospitals, youth and their role in reconciliation, internal political splits, and sexual harassment. All serious and critical issues that need to be addressed are being censored.

As a result, CMC continues to find it extremely challenging to hold government to account or promote social accountability under such huge pressure and shrinking spaces to work freely. This has made CMC change its working mechanisms from carrying out large-scale advocacy media campaigns, to focusing on empowering young generations of journalists with tools, methodologies mechanisms and equip them with technical media skills to help them take that role in promoting social accountability.

## 8.7 Social Accountability in Palestine SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>- Vibrant and active CSOs</li> <li>- Good amount of legislation governing many aspects of social accountability</li> <li>- Existing number of governmental and semi-governmental institutes on good governance accountability and corruption at the public sector</li> <li>- Accountability procedures applied by many of CSOs re audit, finance management and reporting</li> <li>- Community-led monitoring and participation is common among many of the leading CSOs</li> <li>- Public hearing and town hall meetings are common tools to hold senior public authorities to account</li> <li>- Public authorities are responsive to public demands at the services sector consider good</li> <li>- Civil society code of conduct signed by more than 800 organisations includes the main active ones</li> <li>- Civil society public education actions promoting accountability and fighting corruption</li> </ul>	<ul style="list-style-type: none"> <li>- Under constant Israeli occupation and limited power in controlling essential sovereign elements, particularly, borders, access and movement for people and goods</li> <li>- Absence of a functioning legislative council hinders the possibility to amend and establish laws as well as to hold into account the executive authority</li> <li>- Law enforcement is selective and not very much effective</li> <li>- Absence of laws protecting accountability bearers</li> <li>- Weak and no real independent media</li> <li>- Private sector power and influence over decision-making</li> <li>- Opportunistic culture and the new middle class group</li> <li>- Weak social movements, political parties and trade unions</li> <li>- International organisations donors and institutes, accountability to the general Palestinian public and interest is questioned</li> <li>- Lack of consensus among the Palestinian elite on agreed national agenda.</li> </ul>
Opportunities	Threat
<ul style="list-style-type: none"> <li>- Arab Spring and it is contribution to reconciliation efforts</li> <li>- The UN last December resolution accepting Palestine as a supervising country member includes joining different bodies as well as ratification of many other conventions.</li> <li>- International aid money and contracts could be conditional</li> <li>- CSOs can access many senior and governmental officials</li> <li>- History of cooperation between government and civil society</li> <li>- Social and web-based independent media to give more space and freedom for journalists and bloggers</li> </ul>	<ul style="list-style-type: none"> <li>- Ongoing split between Fatah and Hamas and division between West Bank and Gaza</li> <li>- Continues Israeli occupation and Israeli settlements in West Bank</li> <li>- Break out of a third “Intifada”</li> <li>- Corruption and fraud, includes the loss of huge amounts from public resources</li> <li>- Private sector to exert more power or to decide to minimise its presence and activities in Palestine</li> <li>- Financial vulnerability of the PA and its dependence on international aid money</li> <li>- People lose hope</li> </ul>

## 9. Social Accountability in Tunisia

### 9.1 The Context of Social Accountability in Tunisia

Social accountability components were present prior to the Tunisian revolution, and continue to prosper in post-revolutionary Tunisia. Despite the undoubted awareness of the important role of civil society, there is no clear understanding of social accountability jargon amongst Tunisian civil society, government officials or even the media. Most of interviewees were not familiar with the term ‘social accountability’, and found it to be confusing, as ‘social’ suggested involvement in social and cultural demands. Confusion also surrounded the Arabic translation of ‘accountability’, as it could suggest *mosa’ala*, which is seen as a preventive measure and procedures to investigate governmental work. The term can also suggest *mohasaba*, a term suggesting accountancy or retrospect trying of government when shortcomings are detected. However, when provided with the definition of social accountability, the interviewees were very familiar with the concept, and the confusion was mainly due to the title ‘social accountability’.

The Tunisian revolution, which marked the first blooms of the Arab uprisings, brought about sweeping change to Tunisia, and change to the equation of social accountability. Citizens were not afraid anymore, as the symbolic and effective source of their oppression was abolished. Popular demands brought important gains to the society including the abolishment of censorship in all its written and electronic forms. Without the fear that was so entrenched under Ben Ali, the revolution also enforced the idea that nothing is impossible, and the citizens can lead the change. Regardless of future political and social developments, these gains would be impossible to reverse.

Tunisians were able to protest and freely vocalise their demands and after the ousting of Ben Ali<sup>75</sup> the unfolding of political developments was rapid. Indeed, Tunisians proved that toppling Ben Ali was not an end in itself but rather a means to abolish a whole system and establish a democracy aspiring to freedom of expression, human rights and fair distribution of wealth between the regions<sup>76</sup>. Therefore, Tunisians continued to protests in Tunis and the rural areas after January 14, 2011. Spontaneous protests were organised in the Kasba (the Government headquarters) calling for the resignation of the first interim government led by Mohamed Ghannouchi,<sup>77</sup> which was composed of former ministers who were members of Ben Ali ruling party, the Constitutional Democratic Rally (RCD), and other opposition figures. People demands were clear: the RCD (former ruling party) must be dissolved. Those spontaneous protests were successful and forced the interim Prime Minister to reshuffle the government introducing new members, none of which were previous

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<sup>75</sup> Former Tunisian President Zine El Abidine Ben Ali escaped to Saudi Arabia on 14 January 2011

<sup>76</sup> Interview with Slim Kharat, President of Al-Bawsala, January 27, 2013.

<sup>77</sup> Mohamed Ghannouchi was the last Prime Minister serving under former President Zine El Abidine Ben Ali. Ghannouchi served as Prime Minister from 1999 to 2011.

members of the RCD. Protests continued, however, calling the government to initiate the procedure to create a legitimate body elected by the people, responsible for redrafting a national constitution and initiating the democratic transition. This resulted in Ghannouchi's resignation and ultimately led to the National Constituent Assembly's elections in October 2011.

The Tunisian uprising undoubtedly institutionalised essential elements for citizen participation in social accountability, among which are freedom of expression and freedom of association. Citizens, activists, and politicians, are now able to voice criticism and opinions through online, television, radio, and press outlets. The current state of freedom of expression is barely comparable to the oppression under the Ben Ali regime<sup>78</sup>. Citizens have been able to voice their needs and demands through organised protests across the different regions of Tunisia. Unions and syndicates are now more legitimate and vocal players in the social, economic, and political fields, trying to balance the powers of the ruling government.

The establishment of Decree Law 88<sup>79</sup>, which allows the formation of associations and organisations, was the first step towards a growing Tunisian civil society. Tunisia is unique when compared to other Arab Spring countries, where civil society organisations are not legally backed, or are still harassed by government. Decree Law 88 led to the formation of thousands of non-governmental organisations following the revolution, across regions and in diverse sectors. Freedom of association did not only affect the creation of organisations, but set in motion exponential increase of political parties. Tunisia went from a one-party rule with exclusive participation in elections, to the participation of more than 117 political parties in the constituent assembly elections in 2011<sup>80</sup>.

Two years into the transition, the political situation has lost some of the momentum seen in the early months after Ben Ali's regime fell. Most of our interviewees repeated the same description of the current situation "Chaos" and the "System is the same"<sup>81</sup> and there is a feeling that the transition has become opaque. Many consider that the ruling government is only undertaking cosmetic reforms. Tunisian activists and civil society groups and even civil servants reported a lack of political will to promote social accountability and to undertake real change in order to achieve transparency, open government and economic development.<sup>82</sup> As Slim Kharrat from Al-Bawsala NGO put it, 'the government does not realise the importance of civil society dialogue to access information,' highlighting the fact that Tunisian activists had to sue the NCA for not applying the Access to Information Decree Law 41. An open letter from Reporters

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<sup>78</sup> In 2012 and 2013, Tunisia was rated partly Free on political and civil rights after being rated Not Free from 2000 to 2011. Freedom in the World report, Freedom House.

<http://www.freedomhouse.org/report/freedom-world/2013/tunisia>  
<sup>79</sup> Decaf, [http://www.legislation-securite.tn/sites/default/files/files/lois/D%C3%A9cret-loi%20n%C2%B0202011-88%20du%2024%20Septembre%202011%20\(Ar\).pdf](http://www.legislation-securite.tn/sites/default/files/files/lois/D%C3%A9cret-loi%20n%C2%B0202011-88%20du%2024%20Septembre%202011%20(Ar).pdf)

<sup>80</sup> Tunisian Nation Radio, Political parties in Tunisia reaches 119, February 8, 2011.  
[http://www.radiotunisienne.tn/index.php?option=com\\_content&view=article&id=35653%3A-119-&catid=148%3A2010-03-19-16-52-43&Itemid=505](http://www.radiotunisienne.tn/index.php?option=com_content&view=article&id=35653%3A-119-&catid=148%3A2010-03-19-16-52-43&Itemid=505)

<sup>81</sup> Interviews with Article 19, Bawsla, Open Government, Nawaat, Tunisia Live, Tunisian Blogger Fatma Riahi.

<sup>82</sup> Interviews with various stakeholders, January-February 2013

without Borders accuses the ruling government of endangering Freedom of Expression<sup>83</sup>, one of the hard outcomes of the 2011 revolution.

## 9.2 Perceptions of Social Accountability in Tunisia

Two years into the democratic transition, Tunisia is yet to reach a stable phase where popular demands can be separated from demands for vertical accountability, or social accountability. Calls for the basic demands of the Tunisian revolution, mainly focused on freedoms and improvement of the economic situation, have dominated the social and political discourse. This vagueness means that ongoing instability causes constant shifts in priorities across the country. The combination of the security situation and a highly polarised political scene has led to an increase in confrontation where, for example, political parties are using media outlets to voice threats to opposing parties. Consequently, many key actors fail to focus on the urgent issues of regional development, institutionalising rights and freedoms, and fighting corruption.

Civic engagement in social accountability has taken several forms in Tunisia, with efforts taking place on the part of civil society as well as government. A major challenge that is shared by all social accountability stakeholders is compromised effectiveness of proposed initiatives. The government has demonstrated its lack of communication, coordination, and in some cases political will, through making numerous superficial decisions. NGOs have focused on offline and online campaigning initiatives to advocate for more transparency in the government. Because of a lack of an extensive experience in social accountability tools and methods, civil society in Tunisia has focused on research and advocacy-oriented social accountability.

Social accountability in Tunisia also faces legal shortcomings. Despite the demands for legal reform, the structures and laws are yet to match the needs of the transitional period. The mentioned decree laws introduced at the early stages of the democratic transition have yet to clearly materialise in the legal reality. The absence of a constitution has also created a legal void that allowed for legal interpretations that have compromised the freedoms of citizens at various incidents. An example is holding journalists accountable to the penal code, despite the presence of a legal framework that is specialised for the media sector.

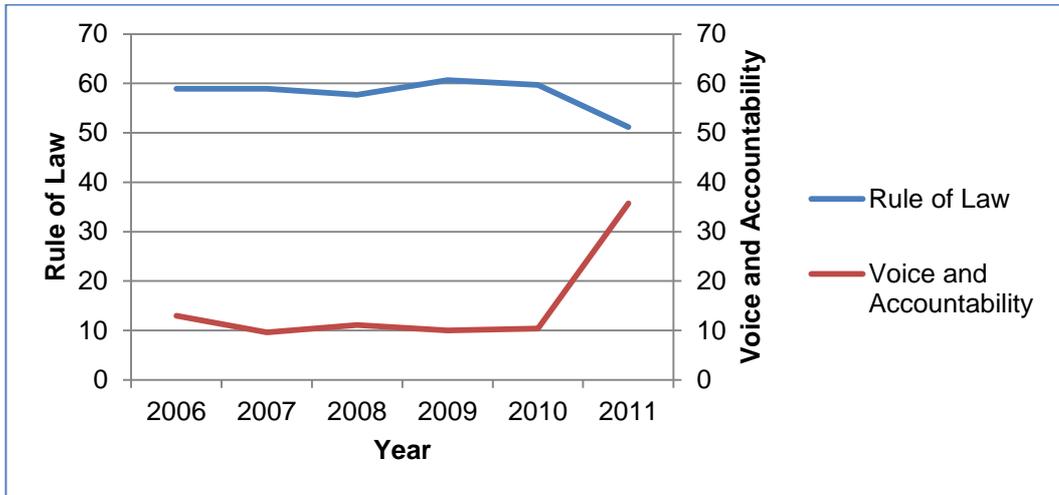
### **What do you understand by social accountability in Tunisia?**

- Improved freedoms
- Civic Engagement
- Legal reform
- Anti-corruption
- Transparency

The figure below illustrates how rule of law remained steady then has faltered since the Arab Spring. The leap in voice and accountability reflects the increase in civic engagement at this time. It will be important to monitor changes in the coming years, as the data will “settle” into a trend. It remains to be seen whether the revolution in Tunisia will result in a real and sustained improvement in voice and accountability.

<sup>83</sup> Open Letter from Reporters without Borders to the Tunisian Authorities, April 11, 2012. <http://en.rsf.org/tunisia-open-letter-from-reporters-without-11-04-2012,42291.html>

Figure 9.1. Rule of Law versus Voice and Accountability in Tunisia



Source: World Bank World Governance Indicators 2006-2012

### 9.3 Pillar Analysis

Figure 9.2. Tunisia – Baseline Status of Pillars

	Access to information	Freedom of association	Financial transparency	Citizen-led monitoring
Relevance (rank 1-4, with 1 as priority)	1	3	2	3
Status of legislation	<p>Decree on Access to the Administrative Documents of Public Authorities of Tunisia (Decree number 41 adopted on May 26, 2011).</p> <p>Illustration of political will - during the transition period - to adopt all needed laws to promote access to information.</p> <p>Tunisia is the 2nd Arab Country to adopt access to information laws.</p>	<p>Decree law 88/2011 was passed during the transition period. The law is very liberal and protects Freedom Of Association</p>	<p>Tunisia passed a number of Laws controlling Public spending of government/local government.</p> <p>Monitoring public spending law adopted in 1989</p> <p>Law 50/1993 establishing the high committee to monitor administration and public spending</p> <p>Law establishing the Public Accountability Department</p> <p>Law on access to information Decree law 44/2011</p>	<p>There is no existing law (at least during the initial phase) that stipulate an interactive process between citizen and public services.</p>
Effectiveness of legislation	<p>The decree 41/2011 was well received by civil society in Tunisia. However concerns raised calls for modifications.</p> <p>The reference to administrative documents is limiting the application of the law. Need to modify the terms to refer to Access to information generally.</p> <p>Restrictions on provision of information are vague</p>	<p>Despite some logistical and bureaucratic challenges – the law has proved very effective. Local organisations and new Unions are flourishing and International organisations have been establishing offices in the Country with no restrictions.</p>	<p>According to interviews conducted with lawyers and financial experts –a system of financial control exists.</p> <p>However previous policies by the former regime override the system. Cases of corruption are often reported.</p> <p>The main challenge remains access to information for citizens in order to exercise an effective control.</p> <p>Most government financial documents (central and local) are not published.</p>	n/a

## i. Access to Information in Tunisia

Tunisians were living in a ‘black hole’, in terms of its access to data and information on the public administration and governmental activity. Not only was information not made available officially, any circulation of documents and information inside the institution and administrations was controlled and monitored.<sup>84</sup> Lack of access to information left Tunisians unable to measure the extent of corruption taking place, and denied them a clear understanding of rights and freedoms..

On the 26<sup>th</sup> of May, 2011, the High Commission for the Protection of the Objectives of the Revolution Political Reform and Democratic Transition adopted Decree Law 41, allowing citizens access to public administration data and governmental documents. Tunisia is the second Arab country after Jordan to have adopted such legal measures.<sup>85</sup> Many claim that the law was adopted as a result of international pressure, especially from the World Bank and despite various amendments is still criticised for missing some important elements (protection of whistleblowers, absence of independent oversight mechanism on the application of the Decree Law). In May 2012, the Tunisian Prime Minister responded by circulating an internal publication providing information on how the authorities should be applying the law.<sup>86</sup>

Tunisia’s administration and citizens are still apprehensive about the effectiveness of the law (which documents can be public, how to ask for the information) and public administrations are still reluctant to provide information. As a result citizens, including journalists, still face obstacles in obtaining data and information. The international data suggests that freedom of the press has improved (see Figure 9.3). The law has changed, so the data suggests a radical improvement in press freedom, because it captures the shift in the legal and political environment. However, the change in law has not translated to real improvements on the ground, as participants in this research noted.

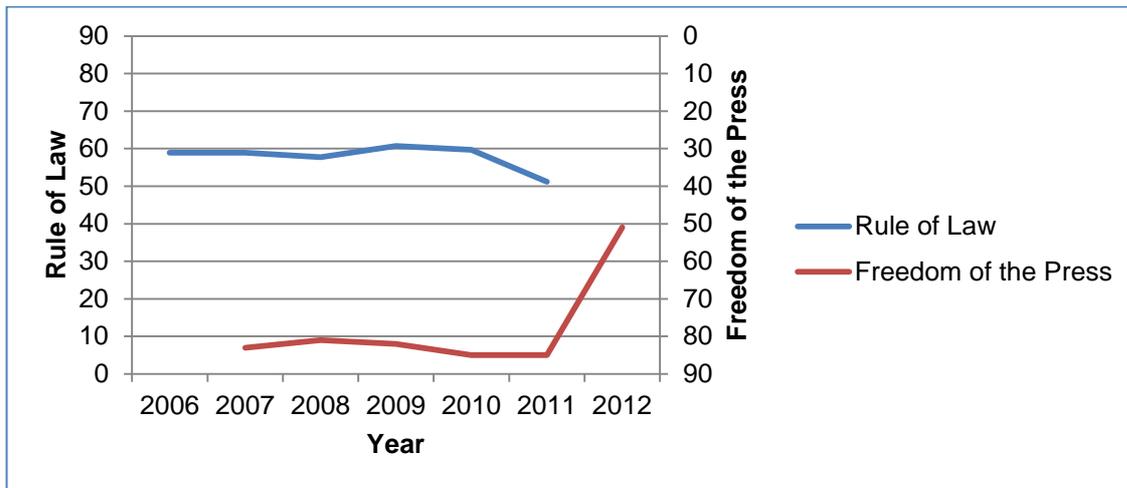
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<sup>84</sup> Interview with Besma Khedhiri and Chiheb Chakchouk, CNRPS (Caisse Nationale de Retraite et de Prévoyance Sociale)

<sup>85</sup> DL 41, May 26, 2011, <http://www.legislation-securite.tn/ar/node/30376>.

<sup>86</sup> Article 19, Legal Analysis, Tunisia: Freedom of Information, August 2, 2011. <http://www.article19.org/resources.php/resource/2945/en/tunisia:-freedom-of-information>.

Figure 9.3. Rule of Law versus Freedom of the Press in Tunisia



Source: World Bank World Governance Indicators and Freedom House Press Freedom Index 2006-2012.

For these reasons, most of the interviewees placed ‘access to the information’ as the first pillar for social accountability. Despite their diverse interests, and their application of different methods to hold government accountable, the interviewees generally thought that adequate access to information is the first step in informing the citizen in order to render any government accountable.

## ii. Financial Transparency in Tunisia

The Tunisian revolution stemmed from the public’s awareness of the extent of financial corruption under the Ben Ali regime. The government’s activities were seen as mafia-like, with the absence of the rule of law. Since the revolution, both government and civil society groups have been focusing on addressing the questions of corruption and transparency. Two ministries affiliated with the Prime Ministry were created, the first dealing with administrative reform, and the other with the establishment of good governance. An investigative committee was also immediately created after the revolution to shed light on the financial corruption that took place under the Ben Ali regime<sup>87</sup>. The Tunisian government also adopted Anti-corruption law<sup>88</sup>. This reflected a general change of attitude, among the people and the government, on the importance of upholding financial integrity and investigating corruption within the administration.

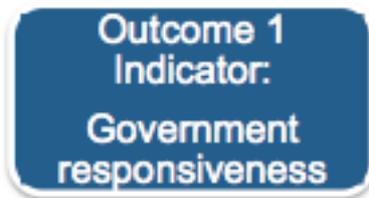
Despite the alleged political will, Tunisia actually fell in Transparency International’s index Corruption Perception index from 41 to 71. The civil society and opposition figures fully agree with the transparency report, agreeing that financial transparency is

<sup>87</sup> Decree Law 2011-7, 18 February 2011 <http://www.legislation-securite.tn/fr/node/30445>

<sup>88</sup> Decree Law 2011-120, November 14, 2011. [http://www.legislation-securite.tn/fr/node/30469?secondlanguage=ar&op=OK&form\\_build\\_id=form-32dedc6f28b03b30df862a8b164ec4ec&form\\_id=dcaf\\_multilanguage\\_form\\_render](http://www.legislation-securite.tn/fr/node/30469?secondlanguage=ar&op=OK&form_build_id=form-32dedc6f28b03b30df862a8b164ec4ec&form_id=dcaf_multilanguage_form_render)  
Transparency International Corruption Perception Index, 2012  
<http://www.transparency.org/cpi2012/results>

the second most important pillar to build effective social accountability in Tunisia. Despite a more public expenditure process in post-revolutionary Tunisia, more pressure is being put by citizens for the public administration to be accountable to public funds. As the realisation of the demands of the revolution, Tunisians are keener than ever to avoid similar corruption as witnessed under the Ben Ali regime.

## 9.4 Social Accountability Practices in Tunisia



### Government

Although the government has followed basic methodologies to respond to social accountability efforts exerted by the Tunisian civil society, it has yet to demonstrate enough political will to properly pursue its fight corruption and promote access to information.

The current interim Tunisian government have responded by engaging in various activities that promote access to information and financial transparency. The government's initial effort to improve access to information was through the adoption of the Decree Law 41, which, according to Sarhan Hichri from OpenGov, demonstrates that the government "is aware that Tunisia entered a new era and a new context, and therefore had to respond by engaging in various activities that promoted access to information and financial transparency". The government has also made use of the e-administration introduced under the Ben Ali regime. The online structures that were introduced are now being improved to enhance citizen participation, and to better communicate the activities of the public administration. Among the key strategic changes was the creating of data.gov.tn, a web platform that published data from different ministries and concerning a wide range of topics and issues. To further increase citizen participation, the website allowed citizen to demand specific information or documents on issues of interest<sup>89</sup>. Another governmental initiative is that of the National Fund for Retirement and Social Security (CNRPS), which is a positive example of the public administration's changed attitude regarding access to information. The administration has published all of its internal documents, including a detailed map of its administrative structure, an act that was never witnessed under the Ben Ali rule.<sup>90</sup> Another success story is the Municipality of Sayada<sup>91</sup>, an eastern coastal area, and its efforts to provide better public access to information. The Municipality of Sayada has started publishing its verbal processes concerning all decision made, influencing developments and spending in the region (Case study 2).

<sup>89</sup> Interview with Rim GARNAOUI, Electronic Administration within the Prime Minister Office, 1<sup>st</sup> February 2013

<sup>90</sup> Interview with Besma khedhiri and Chiheb Chakchouk, The National Fund for Retirement and Social Security, January 31, 2013.

<sup>91</sup> <http://www.villedesayada.tn/ar/node/100>

The government has created two ministries tackling administrative reform and corruption, and good governance, respectively. Furthermore, the government has signed 20 international agreements in the span of 10 months<sup>92</sup>, pledging commitment to providing better access to financial data, and commitment to fighting fiscal corruption. The Ministry of Good Governance and Anti-corruption focused on elaborating a general strategy to fight corruption and to this end had launched an online platform in partnership with the UNDP to inform the citizens<sup>93</sup>. The Ministry of Administrative Reforms launched a website to engage citizens in reporting corruption incidents.<sup>94</sup> The Financial Accountability Commission, a governmental body tracking financial transactions, has also witnessed a change of attitude. The commission, which usually hands its yearly report directly to the presidency, has made its findings public, for the first time in Tunisia.

The national budget of 2012 was for the first time discussed actively in the NCA. Although MPs were given a short notice to read the proposed budget, the NCA was able to hold a debate about the different clauses of the budget, a debate was aired and covered in the different media outlets.

The Financial, Planning, and Development Commission, within the NCA legislative commissions, has worked with the Ministry of Administrative Reform, the Commission of Restitution of Looted Money and the Commission of Confiscation. Five reports were produced after conducting 30 meetings. 18 hearing sessions with the head of the Tunisian Central Bank were organised to get access to financial information and documents.<sup>95</sup>

However, despite the production of a financial corruption report in March 2012, the government has so far failed to follow up on it. It has also failed to create the promised second committee investigating financial corruption. The head of the committee had been determined for some time, though disagreement on the commission members has halted its activity. Furthermore, the government has not fully complied with the laws that were passed immediately after the revolution, which were designed to promote transparency, access to information, and freedom of expression. The application of Decree Law 41, for example, is entirely dependent on personal initiatives within the administration, and not a wider institutionalised strategy to grant access to data. In fact, the data published by the government, including the national budget of 2012, was due to civil society pressure. It has yet to be an automated process for data to be shared with the public. Figures from the World Bank suggest that corruption controls have remained reasonably steady in the period 2006-2011, yet there has been a deterioration in rule of law, which is an indicator that measures confidence in the laws of society – see figure 9.4 below.

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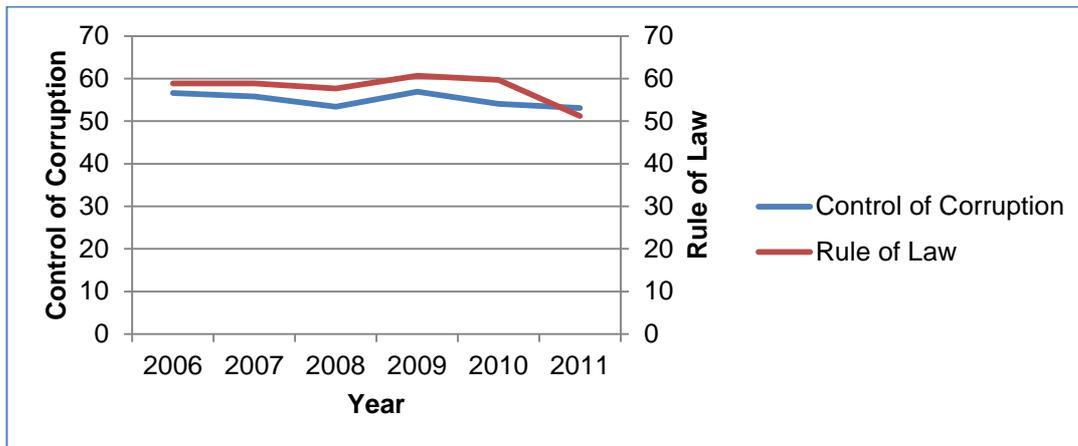
<sup>92</sup> Yearly report, Ministry of Good Governance and Anti-corruption, 2012.

<sup>93</sup> <http://www.anticor.tn/index.php?id=5>

<sup>94</sup> <http://www.anticorruption-idara.gov.tn/>

<sup>95</sup> Interview with Slaheddine Zahaf, president of Fighting Corruption and Administrative Reform Commission in the NCA.

Figure 9.4. Control of Corruption versus Rule of Law in Tunisia



Source: World Bank World Governance Indicators 2006-2012

The government has formed semi-independent committees to strategise on improving access to information, to assess public spending, and to investigate corruption and human rights violations. These committees engage with citizens and civil society actors to better respond to their demands.

Miscommunication is another governmental challenge where government frequently fails to communicate its new initiatives and legal declarations with public administrations. Walid Ferhi, advisor to the Minister of Good Governance and Anti-Corruption, says that “ministries and the administration fails to communicate effectively between each other” and “fails to build common initiatives together”. An example is the creation of the regional development commissions. A governor from Zaghouan, an east-central region in Tunisia, claimed that these commissions were not formed yet, though the decision was made by the Prime Minister in January 2012. The governor claims that the municipality was yet to recruit members to form the committee. Another civil servant within the governorate claimed that she had no clue what these commissions were and what they served, demonstrating confusion and frustration.

Furthermore, the website created to document corruption and engage citizens was introduced with little long-term vision or strategy, reflecting the intention of gaining political credit rather than seriously pursuing transparency. The project was so poorly organised that it took a week of investigation to learn who was still managing the online platform.

In order to address these shortfalls, the government has tried to better communicate key decisions and activities to the public, holding numerous press conferences, inviting media outlets to provide coverage and pose relevant questions. In the same manner, governmental officials regularly make key appearances in TV talk shows and radio shows to discuss current developments.

Finally, effective governance continues to be hampered by excessive centralisation. A clear example is the marketing campaign the Ministry of Tourism, based in the capital, mounted in Sousse, a southern coastal town. The local tourism administration in

Sousse did not have the authority or the budget to decide or design appropriate marketing campaigns specific to the region. This centralisation can be partially attributed to the rigid Tunisian bureaucracy, which does not allow much flexibility in the process of decision-making.

**Outcome 2  
Indicator:  
Civil society voice**

### **Citizens**

Tunisians are actively demanding to take part in the policy and decision making processes, and are aware of their right to do so. They are demanding a bigger role in monitoring the work of government, which can be attributed to a number of reasons, depending on the variations in the geographical, socio-economic, and professional backgrounds. Citizens who have previously taken part in organised activity through civil society, opposition parties, or membership in syndicates and unions, continue to be active within those contexts as they realise the potential impact of social accountability. Regular citizens, and especially those from the inner regions, are joining the forces that are vocalising popular demands, and are presenting the biggest participation numbers in public protests. Citizens, despite their variations, are demanding improvements in the economic situation, infrastructure, and modes of governance.

This is complicated by the security situation in Tunisia, which is far from stable, with the violence and lack of security leaving little room for free civil engagement with social accountability issues. This problem is especially significant in the inner regions, where security institutions are poorly functioning. More specifically, security for activists and critics of the government is compromised, as seen in the cases of violence against journalists, as well as the assassination of opposition figure Chokri Belaid.

### **CSOs**

CSOs have organised training for building the capacity of different stakeholders involved in various social and political issues. Though these training sessions have focused on a wide range of topics, they aim at raising the awareness of the citizen and government to create a more open, interactive relationship between both. CSOs have put citizens and elected members of parliament in contact as a direct form of access to information.

Unfortunately, much civil society activity is uncoordinated and many NGOs have limited their activities to holding conferences, many of which have no tangible influence on increasing government accountability. NGOs are fulfilling a self-appointed, superficial watchdog responsibility, constantly pointing out problems with the government, without necessarily suggesting solutions. This may be due to the lack of trust between both governmental and civil society bodies but has resulted in a lack of negotiation among both groups, and poor consultation during the decision making process.

NGOs have significantly focused on advocating for access of information, as well as making information available to the public. OpenGov activities, have focused on advocacy campaigns and lobbying to introduce changes in key legal literature governing the NCA's activities. In the same legal framework, NGOs are informing the public of their rights to access information. A local association, 'Twensa', created an online platform in partnership with lawyers, to raise awareness among the public on how to make use of existing laws to access governmental information. NGOs have also worked with governmental bodies to make information available. Continuing the efforts of OpenGov to make NCA activity more transparent, another group, 'Bawsala', have started a project that focuses on shedding light on what goes on within the NCA. The organisation has created a web platform that shares live updates on the NCA plenary sessions, as well as publishing documents that include budget details, information on MPs, and more. This organisation has also used social media websites, such as twitter, to better reach the public at a timely manner.

According to Chaima Bouhlel, Project officer at IWPR, "Tunisian NGOs, and in particular Al Bawsala, had a significant weight on the activity of the NCA, and was invited to testify at the NCA's Bylaws Commission to present its assessment of transparency and access to information within the elected body. This is an important step, as NGOs are having an impact on governmental institutions."

Bawsala was also involved in promoting financial transparency in Tunisia. The organisation was the first to provide an electronic version of the national budget for the year of 2012.<sup>96</sup> This move was the first in Tunisian history, and enabled a national dialogue that took place within the NCA, and on social media and media outlets. This dialogue, albeit taking place in a considerably short amount of time, shaped the major outlines of the projected expenses of the year. It is also important to note that the Prime Ministry displays a link to the online version of the budget, published by Bawsala, on its official website. I-Watch, another local NGO, lobbied for a more detailed public budget, in order to be able to track public expenditure. In order to promote financial transparency, I-Watch created a yearly award for the "Whistleblower of the Year", to be given to the most transparent governmental or non-governmental establishment.

Civil society has also engaged in holding MPs to account in the most pressing transitional issues such as the drafting of a new constitution. Major protests were organised by civil society and different political parties to oppose a proposed constitutional law that described women as complementary to men, as members of society. These protests not only shed light on the diverse opinions the Tunisian society holds, it pressured the NCA to rephrase its law, where women are equal to men. This spared the society a dangerous constitutional loophole that could have compromised women's rights in Tunisia. A similar action was taken when *Shari'a*, or the Islamic doctrine, was proposed as a main source of governing, in the constitutional preface. Citizens calling for a secular, civic Tunisian state also protested the proposed

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<sup>96</sup> Members of the NCA leaked to the CSO the full budget from one of the NCA's MP the full budget. Previously only a summary of the budget (Around 10 pages) was published.

constitutional preface. This pressured the preface drafting committee within the NCA to omit the Islamic doctrine as a source, albeit its Islamist majority.

More specialised NGOs, such as the group of 25 Lawyers have taken different approaches, such as filing lawsuits related to corruption and transparency cases. They created the National Committee for Transitional Justice, which is responsible for investigating and legally following corruption incidences. Also, this group was among the first to hold the government legally liable when laws are broken by governmental bodies.

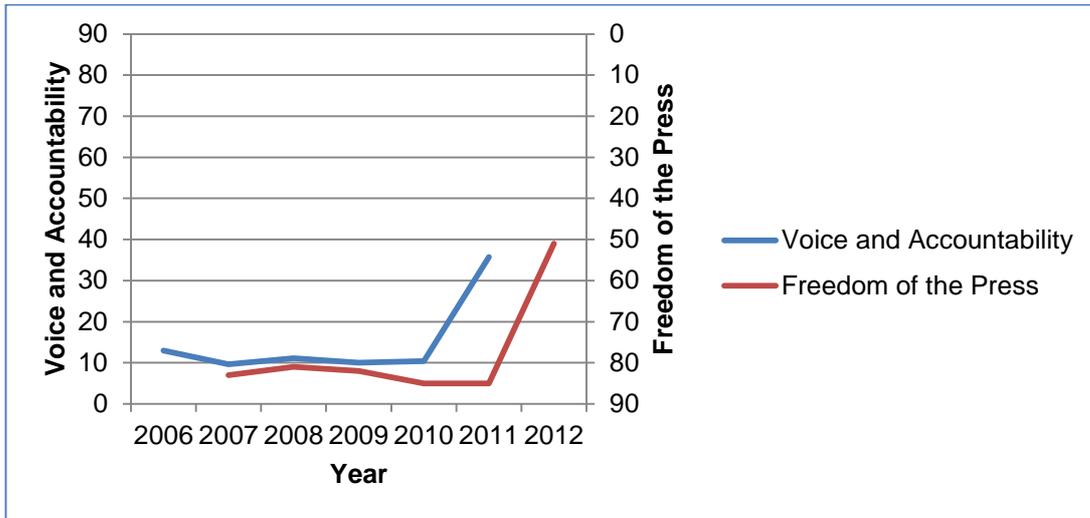
Leading by example, several associations have drafted charters that determine their mandates and moral obligations in their specific context and field of expertise. These charters also include integrity and transparency charters. Tewensa Association has also worked on drafting an ethical charter that defines the deontology of civil society activity. This is an important step to institutionalise the work of civil society, in order to make it and its role more legitimate.

## **Media**

Tunisian media has also evolved to be a key supporter of social accountability, by playing a major role in raising awareness among the public, and influencing their reactions towards several social and political developments. The Tunisian media provided constant coverage of the protests taking place across the regions, demanding a clear transitional justice course to investigate the truth behind the human rights violations during the revolution, and the reparation process. Tunisian media documented the violations committed by the police during the 9<sup>th</sup> of April, 2011 protests where several people were injured and arrested during the protests commemorating Martyrs' Day. Media coverage mobilised popular demand for an investigative commission to officially investigate the violations and bring the perpetrators to justice.

Similar media pressure was exercised during a notorious case where a woman was raped by two police officers. Allowing the victim a media platform to talk about her experience uncovered actual corruption still taking place in post-revolutionary Tunisia. Growing trust in the media sector has allowed citizens to report human rights violations, and bring public attention to abuses taking place within the public administration. Media coverage has directly influenced public engagement, and in many cases lead to protests across the country, thereby playing a role in holding the government to account. Data from the World Bank and Freedom House absolutely support this assertion. Figure 9.5 highlights the huge positive trend in voice and accountability and its correlation with increased press freedom.

Figure 9.5. Voice and Accountability versus Freedom of the Press in Tunisia



Source: World Bank World Governance Indicators and Freedom House Press Freedom Index 2006-2012

Media has also increased the public interest and engagement in the drafting of the constitution. Making use of OpenGov’s efforts to render the NCA’s work more accessible, and following their push for the right of the citizen to be informed, the media has focused on the constitution, through coverage and talk shows. People were informed in this way by providing a debate platform for MPs to discuss the process of the drafting, and the different points-of-view within the NCA. Furthermore, the media has played an important role in providing coverage of civil society, the government, and the NCA, in relation to financial issues. Different TV channels provided discussion platforms, inviting specialists, MPs, and governmental officials, to discuss the track of public spending and budgeting in Tunisia. Regional radio has focused on expenditure on development projects. Development is among the key demands in the inner regions of Tunisia, as they were marginalised under the previous dictatorship.

The media has also produced a number of investigations that focused on the financial integrity of the government. The most famous example is that of Olfa Riahi, a prominent blogger and journalist in the Tunisian media scene. Riahi was responsible for uncovering various suspicious financial transactions made by the Ministry of Foreign Affairs<sup>97</sup>. The first was the case of the Foreign Minister’s abuse of his position and of public funds, what came to be known as the ‘Sheraton Gate’. The second was related to undeclared amounts of money that were transferred to the Ministry’s account without the knowledge of the Tunisian Central Bank. The investigation stirred a lot of media attention both locally and internationally, as the journalists demanded an official investigation.

<sup>97</sup>Rafik Abdesslem Bouchleka : Fortes présomptions de malversation et d’affaire de mœurs – Urgence d’une enquête officielle, December 26, 2012 <http://tobegoodagain.wordpress.com/2012/12/26/rafik-abdesslem-bouchleka-fortes-presomptions-de-malversation-et-daffaire-de-moeurs-urgence-dune-enquete-officielle/>

More citizens are also using online platforms and social media networks. Their engagement has gone beyond fishing for news and following political developments, and they are participating in voicing their criticism and demands. Citizens now subscribe to specialised Facebook groups, for example, to find specific information or participate in a wide range of discussions. These groups can be categorised on a regional basis, or based on political affiliations. The importance of citizens' engagement through social media networks is that it provides an easy and fast measure of popular reactions to governmental actions and to current events and developments.

## 9.5 Lessons Learned

Despite the emergent social accountability in Tunisia, there are several factors that can be defined, for which the success of several civil initiatives can be attributed. The transitional phase the country is going through suggests that these factors are either specific to the transition, or concrete characteristics of the Tunisian civil society. In the last two years, Tunisia has been a democracy lab: drafting of the constitution, access to information, financial transparency, the rule of law, launching reform in the public administration, restoring security and order, stabilising the economy, and more. The lab was successfully able to attract both civil society groups and government institutions and ministries to be actively engaged in the change.

Improved access to governmental information (not always ensured by the government), though seen by many as a superficial and inadequate, has definitely committed the government to a trajectory that it cannot sidestep. Despite the humble efforts the government has demonstrated thus far, civil society is pressuring it further for more access to public administration records, procedures, and data. This is undoubtedly a success factor for it has set access to information as a conceivable demand by civil society.

Another governmental factor is less circumstantial, and is a virtue of a strong Tunisian administration. In comparison to other Arab countries, among the rare gains of the previous dictatorships is a self-directed, efficient public administration and competent civil servants. This was directly essential after the revolution, for it was the only way that the country could continue providing public services without a government in power. A solid administration is an important factor in robust social accountability on several levels. First, the administration provides clear procedures on public activity (which leads most of the time to becoming a bureaucracy rather than an effective administration), across regions and sectors, which provides measure of corruption prior to the revolution, helping hold current and future governments accountable.

Freedom of expression is another success factor that contributed to increased civil engagement in decision-making. Not only are political opposition figures able to openly criticise the government, civil society is now able to act as a whistle blower.

The aforementioned characteristics of the current situation in Tunisia create significant opportunities that are being seized by Tunisian civil society. However, a determined civil society and citizen are perhaps the most important pillar for the success achieved so far in social accountability in Tunisia. Although many components of the Tunisian civil society in Tunisia are as young as the revolution itself, for civil society was considerably limited under the authoritarian regime, it has showed significant perseverance and continuous resistance from civil society. Civil society has also displayed important diversity in terms of types of association, and fields of interest. NGOs, syndicates, unions, and unaffiliated citizen gatherings, have been several forms of civil society bodies, actively pushing for popular demands and calling for governmental accountability.

Civil society has also expressed unity, and strived to push for common goals and interests. This was a value that led to more strength and legitimacy. The Tunisian civil society was not working alone, but through national organisations and groups. The presence of international organisations in Tunisia has helped the local civil society on numerous levels. International NGOs have helped build the capacity of local groups to better respond to popular demands, more efficiently advocate for rights, and built their watchdog, whistleblowing capacities through improving their monitoring skills.

The young, but effective, social accountability experience in Tunisia has shown that dialogue is an important component to be promoted. Dialogue between civil society actors has led to sharing experiences and unifying efforts to push for change. The leading example is the coordination of efforts between OpenGov and Bawsala, where the former initiated the access to information process with the NCA, and the latter institutionalised it. Dialogue among governmental bodies is also crucial for the effectiveness of social accountability<sup>98</sup>. The Tunisian experience has shown that many initiatives taken by the government have failed to achieve their goals because of lack of consensus and communication among the different bodies. Dialogue has also proved to be important to link civil society and government, which is the key to effective social accountability. Civil society can only proceed with its monitoring and assessment goals if the government is aware of these goals, and is responsive to the demands of the public.

The diverse use of tools in achieving social accountability in Tunisia might have been spontaneous, but it proved to be beneficial. Civil society organisations with diverse histories, competences, and interests, led to the use of different methods to pressure the government to provide information and respond to demands. Conferences and forums have been useful to inform the public. Protests were useful to pressure the government. Debates and petitions were important in gauging interest and mobilising citizens. Strikes and lobbying were important to make key changes.

Having specific goals is an important lesson to be learned from the Tunisian experiences. As seen in *Kasbah 1* and *Kasbah 2*, without the need for organised representation, citizens were able to call for democratic elections and the creation of an official and legitimate body of representatives. OpenGov also had the specific goal

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<sup>98</sup> Interview with Serhane Hichri, OpenGov.tn member, January 30,2013.

of institutionalizing access of information in the NCA's internal bylaws, and succeeded. Specific objectives have helped focus the efforts of citizens, and helped governments visualise their responsiveness.

## 9.6 Tunisia Case Studies

### Case Study 1: Bottom Up Financial Transparency in Sayada Municipality

Located within the governorate of Monastir, Sayada is situated on the eastern coastline of Tunisia, and holds a population of 12,000. Sayada has become a lead example in social accountability through the pioneering work of its municipality in financial transparency and citizen engagement. Immediately following the Tunisian revolution, regional commissions were created to govern the cities, and were dubbed 'Commissions to Protect the Revolution'. In the case of Sayada, the active members of the existing commission governing the city agreed to nominate nine, none politically-affiliated members to form the special delegation. It is important to note that Decree Law 1141 has defined a one-year duration for the function of the special delegations. However, with the transitional period taking longer than expected, the Decree Law is still in effect, and Sayada remains to be governed by its special delegation. Throughout the transition, cities across the country have witnessed numerous protests around a myriad of subjects from unemployment and dire economic circumstances, to calling for improved working conditions and social security. The work of governing bodies and state representatives was challenged because of these protests. The municipality of Sayada was different because it responded differently to the street anger, and it decided that improved transparency is key to avoid miscommunications. Sayada's special delegation made the decision to open its institutional data in order to have a more concrete dialogue with the public. Members of the delegation claim that this led to an understanding of what popular demands could and could not realistically be executed. At first, the municipality distributed copies of its meeting minutes to the public but realised there was a broader demand and created an online platform to share all internal documents with the public, including budget and expenditure records. It is important to note that Sayada is the first city to take such progressive steps towards communicating with the public, and that the initiative was taken from within the municipality, not from higher authorities.

Sayada's municipality built its initiative on existing practices, such as regular meetings with the public. These meetings took place prior to the revolution, though citizens were naturally afraid to communicate their criticism in those forums because of the presence of political police – a fact that changed after the revolution with the elimination of political harassment. Sayada municipality also created a Facebook group that further engaged citizens regarding the concerns and debates relating to their daily demands. The impact of this improved communication was 'major', as the Mayor stated. Large-scale protests almost disappeared in the city, as a trust relationship was being built between the administration and the regular citizens. Those initiatives were also successful to convince residents of Sayada to resume payment of their taxes to the municipalities, which allowed new projects to be funded. Sayada is now seen as success story, and other cities are following its lead in increasing administrative

transparency. On a wider level, the Mayor of Sayada has been invited by the Ministry of Good Governance to receive more input on Sayada's experience.

### **Case Study 2: CSO lawsuits against the National Constituent Assembly**

Following significant civil society pressure, the Tunisian National Constituent Assembly took the first steps towards access to information by including the principle of open government. Despite this written legal commitment, the NCA remains reluctant to make its meeting minutes and vote records available to the public. OpenGov and Bawsala, two active civil society groups, and Nawaat, a collective news blog, came together to tackle the issue of the inaccessibility of information in the NCA, and used the Decree Law 41 to file a lawsuit against the elected body. The civil society trio demanded that the NCA provide better access to their data and follow a more open policy. These three organisations rejected the opinion of the president of the NCA who argued that the final draft of the constitution would be shared and that it would be sufficient in regards to granting regular citizens access to information by regular citizens. All three groups believe that it is important for citizens to be able to access information on the activities of the NCA throughout the process of drafting the constitution or approving laws. The legal charges pressed on the NCA were intended to help citizens have access to information in order to hold their representative MPs to account on the basis of their vote record and statements. It is important to note the lawsuit followed futile negotiation between the three civil society groups and the NCA, and that it is the first of its kind in Tunisian history. This lawsuit is also the first legal application of Decree law 41, allowing citizen access to information.

By coming together and collectively focusing on access to NCA data, the three aforementioned groups have made significant impact on both civil society and the debate on access to information. The coalition that was formed is a positive message, in itself, that civil society is able and willing to work together and collaborate on common, pressing topics. The joint action also led a national debate that gained significant media coverage on both traditional and alternative media outlets. This has helped give the issue of access to information more credibility, and push it forward.

The trial is a long legal process, which might take from 2 to 3 years to reach a verdict; which poses a challenge as access to data is crucial during the transitional period the country is going through. However, the three groups have trust in the administrative tribunal and will be calling for amendment to Decree Law 41, and for a timeframe to be defined for such trials concerning access to data. There is also a lack of responsiveness on behalf of the NCA towards the charged pressed against it. This could indicate indifference that will truly affect the possible developments of the trial, and hence, access to information.

## 9.7 Social Accountability in Tunisia SWOT Analysis

<b>Strengths</b>	<b>Weaknesses</b>
<p>Access to Information</p> <ul style="list-style-type: none"> <li>- New Decree Law on Access to information DL 141.</li> <li>- A large number of specialised NGOs focusing on promoting access to information and using in practice existing laws (OpenGov, Bawsala, Tuensa)</li> <li>- A popular awareness of the importance of access to information and its crucial influence on any transition to democracy</li> </ul> <p>Financial transparency</p> <ul style="list-style-type: none"> <li>- New Laws on anti-corruption adopted during the transition period</li> <li>- A number of CSO were created to investigate and promote financial transparency and anti-corruption</li> </ul> <p>Social accountability methods</p> <ul style="list-style-type: none"> <li>- Creative strategies to promote and raise awareness on Financial Transparency and access to information (lawsuits, media spots, awards for whistleblowers)</li> </ul>	<p>Access to information</p> <ul style="list-style-type: none"> <li>- Other than the mentioned CSOs - most civil society groups and journalists are unaware of how to use the DL 141 on access to information</li> <li>- Journalists tend to overcome the limited access to information through informal ways instead of advocating for more access to information.</li> </ul> <p>Financial Transparency</p> <ul style="list-style-type: none"> <li>- Lack of tools and mechanism to fight corruption and promote financial transparency</li> </ul> <p>Social accountability methods</p> <ul style="list-style-type: none"> <li>- Limited: no M&amp;E procedures</li> </ul>
<b>Opportunities</b>	<b>Threat</b>
<p>Access to information</p> <ul style="list-style-type: none"> <li>- Tunisian civil servants and some public administration are willing to work with CSOs to provide more access to information</li> <li>- Tunisian Civil societies exposed to other international experience in the domain of access to information</li> <li>- International organisations providing technical assistance to CSO in the field of access to information.</li> </ul> <p>Financial Transparency</p> <ul style="list-style-type: none"> <li>- Creation of governmental body responsible to lead efforts on anti-corruption and financial transparency</li> <li>- Publication of state's financial documents (budget, Audit report.) since the outbreak of Arab Spring.</li> </ul>	<p>Access to information/Financial transparency:</p> <ul style="list-style-type: none"> <li>- Lack of political will to undertake real and strategic reforms</li> <li>- Security instability: Continuous harassment towards human rights activists and journalists.</li> <li>- SA pillars are not a priority in the transition. Focus is given to writing the constitution or to solve political instability (7 months focusing on forming a new government)</li> </ul>

## 10. Social Accountability in Yemen

### 10.1 The Context of Social Accountability in Yemen

*“How can we refrain from education when you [government] do not refrain from luxury and eating in lavish restaurants?”*

Ankologen Foundation, questioning the Yemeni Prime Minister

In early 2011, Yemenis took to the streets to protest against three decades of rule by President Saleh. Following his succession in November the same year, deputy Abdrabbuh Mansour Hadi stepped in and pledged to hold a national dialogue and draft a new constitution. Almost two years after the revolution, Yemen is still going through a transitional period as it attempts to establish a genuine democracy, new balances of power and it redefines the relationship between state and citizen.

Most interviewees described the current situation to be one of turmoil. They discussed how the political unrest has been exacerbated by a range of socio-development factors, including low family income, widespread unemployment, low levels of education and literacy, and poor public health.<sup>99</sup> The economy relies on oil and gas, shipping and construction, none of which have strong records of accountability. Furthermore, there is a great difference between north and south Yemen in terms of government and business control, so the lines of accountability are blurred.

The social movement in Yemen started in the beginning of this century and became very active by 2006. A union and agreement between the opposition parties was established and this “Joint Coalition” included five opposition parties to the ruling political regime, including the Ba’ath Party, Al Haq Party, and the Right Reformist Congregation. The alliance organised opposition forces to pressure the political system in Yemen to carry out democratic transformation towards the empowerment of Yemeni citizens and improve standards of living.

It is in this context that Yemenis are defining and redefining the role of citizens vis-à-vis the state. The new relationship is reflected in the following ways:

- The emergence of new opposition groups, some of which are armed and practicing violence against the ruling regime;
- An unprecedented level of interaction between civil society in Yemen with a variety of international donors, whose interest lies in supporting the creation of a stable and prosperous country;
- Several new bills have been proposed by active parliamentarians, aimed at improving the living conditions of Yemeni citizens and the level of services they receive. Some of these bills have been rejected following extensive debate,

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<sup>99</sup> For example, many people are said to be addicted to the mildly narcotic Qat, with severe impacts on the economy and health. The farming of Qat crops is also a factor in the declining water table and drought that faces much of the country.

including the access to information bill and the draft law regulating civil society to allow more freedoms;

- An anti-corruption commission was created in 2007 by the Yemeni president to assert the government's willingness to practice transparency and accountability – 200 people had been referred to the public prosecutor by July 2012;<sup>100</sup>
- According to participants of this research, it appears that there have been increased efforts to support and empower women in Yemen by local CSOs, national institutions (notably the National Committee for Empowerment of Yemeni Women), donors and activists.
- There is an emergence of development initiatives aimed at fostering collaboration between the government and the private sector to increase transparency and promote good governance, such as the Yemen Extractive Industries Transparency Initiative.<sup>101</sup>

## 10.2 Perceptions of Social Accountability in Yemen

In general, our research revealed that the concept of social accountability is unfamiliar to Yemenis. Members of the ANSA-AW Network, who represent 11 institutions and organisations, showed greater knowledge of the concept than other citizens and most other groups, demonstrating the relevance of the network. These members have not, to date, conducted activities to transfer the concept or capacitate others on social accountability tools.

This lack of knowledge about the concept of social accountability does not mean that it is not being practiced in Yemen. Indeed many organisations that participated in this research highlighted their activities on relevant issues and themes, including budget transparency, community participation in the development of local development plans and implementation, and community participation in the opening of tenders.

Some civil society organisations have sought to amend the law regulating freedom of civil society. The campaign was organised and strong, although it is yet to result in an amendment. These efforts are still continuing, and the organisations concerned are expected to resubmit the law to the prime minister. They are also pressing the government regarding the Right to Information Act.

We found there to be some confusion between the concept and some other concepts - especially the concept of social *responsibility*, which is pronounced similarly in Arabic. Focus group discussions highlighted the need to use different Arabic wording, such as enabling citizens to monitor and control government performance, or government accountability, or monitoring government performance or participatory monitoring.

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<sup>100</sup> [http://al-shorfa.com/en\\_GB/articles/meii/features/main/2010/12/07/feature-02](http://al-shorfa.com/en_GB/articles/meii/features/main/2010/12/07/feature-02)

<sup>101</sup> See <http://eiti.org/Yemen>. Although Yemen was declared EITI compliant in 2007, at the time of writing it is suspended from the initiative due to a lack of new data updates and limited involvement of civil society.

Some participants in the research suggested that, in spite of the absence of the social accountability concept in Yemen, the ground is largely ready for the application of tools related to it.

Others felt that there are some indicators that reflect community readiness to accept, adopt and apply the concept. These indicators include citizens' positive trend after February Revolution, which is clearly reflected in their increased engagement in public and political life, and the use of the word "rights" in daily dialogue and public debates. There are also some groups who are vigorously demanding and advocating for their rights, regardless of the methods and means of expression they use.

**What do you understand by social accountability in Yemen?**

- Social responsibility
- Monitoring government
- Anti-corruption
- Transparency

Indications of Yemenis' readiness to promote social accountability are also present in the activity and diversity in the field of work by some CSOs. In spite of their limited number these groups are giving attention to advocacy approaches and mechanisms, however there is a great need to support the capacity building of CSOs as institutions more than individual capacity building.

### 10.3 Pillar Analysis

Figure 10.1. Yemen – Baseline Status of Pillars

	Access to information	Freedom of association	Financial transparency	Citizen-led monitoring
Relevance (rank 1-4, with 1 as priority)	1	3	3	2
Status of legislation	<p>Law on Access to Information was approved on 24 April 2012.</p> <p>Yemeni President Abed Rabbo Mansour Hadi refused to ratify it and referred it back to the House of Representatives on June 10, 2012, with some objections and proposed amendments.</p> <p>In July 2012 the President approved the amended version of the Freedom of Information Act.</p>	<p>Law #1 of 2001 Regulates civil society organisations in Yemen - fairly liberal</p>	<p>Yemen does have a set of procedures that are meant to ensure financial transparency – for example, the government publishes their budgets online.</p> <p>Despite these mechanisms, there is a lack of application across certain sectors of government and wider society.</p>	<p>No clear legislation. There are complaint box mechanisms in place in all ministries, but these are currently ineffective.</p>
Effectiveness of legislation	<p>As it is a relatively new law, effectiveness is still unclear and the legislation has yet to be tested. Moreover, the public are, at present, unaware of the law.</p>	<p>CSOs face many challenges regarding the registration process.</p> <p>There is excessive control exerted by the government with regards to the approval of foreign funds.</p> <p>NGO's also find the space in which they can conduct activities quite restrictive</p> <p>Whilst still restrictive, the legislation has become more flexible post-revolution.</p>	<p>Government launching the Extractive Industries Transparency Initiative; consortium uncovering all oil and gas revenues; enhances transparency in order to tackle corruption and encourage better wealth distribution</p> <p>Private sector has adopted initiatives to support financial transparency</p>	<p>Some efforts from CSOs to monitor government performance, especially with regards to finance</p> <p>Media institutions are playing effective roles in monitoring government performance and services</p>

**i. Access to Information**

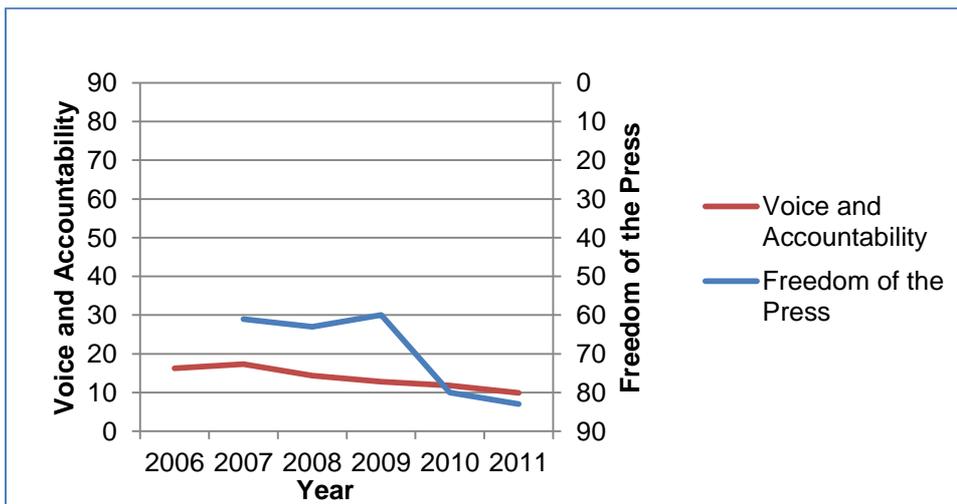
Yemen issued a law on the right of access to information in July 2012, which is binding on all government agencies and ministries in the country. Research participants seemed to consider it a good piece of legislation to ensure information was accessible to all citizens. However, the law has not yet been put into practice, as there are no clear operational and regulatory mechanisms to apply the law. We found that the Ministry of Finance and the Ministry of Local Authority have both attempted to implement the law by setting up information departments. In the case of the Ministry of Finance the department is up and running and serves to provide citizens with all finance-related data and information.

All types of media institutions are trying to disseminate information to citizens, especially after the February Revolution. These attempts are hindered due to the lack of information and accurate data from state institutions.

Regarding the practices of CSOs to provide access to information to their own beneficiaries, we found that only a few associations were willing to provide detailed data for their General Assemblies, but there are no other mechanisms or tools to make information available for their organisations. These mechanisms are not available for most civil institutions and associations.

According to statistics from the Freedom House, press freedom in Yemen has deteriorated since 2009. Voice and Accountability indicators have also been in decline since 2007, so although we cannot assume a direct correlation between the two indicators they do seem to support each other. See Figure 10.2 below.

*Figure 10.2. Voice and Accountability versus Freedom of the Press in Yemen*



Source: World Governance Indicators and Freedom House

## ii. Citizen-led monitoring of public services

There are initiatives from some government agencies to assess the services provided to citizens, for example when the Electricity and Energy Authority sponsored a conference in February 2013 to discuss the quality of electricity provided to citizens, as well as the complaints and grievance mechanisms besides suggestions regarding provision of service on an on-going basis.

*“I am very scared these days during my way into work, as one citizen comes to my workplace daily because he has had some requests and problems with the Ministry for a long time. He has threatened me that if his problems are not resolved he will burn himself in front of the headquarters of the Ministry... I am very scared he will do this, but I am happy that he is demanding his rights... I also do everything in my power to help him”.*

Employee at the Ministry of Culture, February 2013

There are some youth efforts and initiatives to enable citizens to evaluate government services and make them aware of their right to receive quality government services. Examples of these initiatives include the Youth Imprint Initiative, which educates citizens on the quality standards of government services and trains government on how to handle and respond to citizens' complaints.

In terms of the quality of services, civil society generally lacks any expertise or knowledge on how to measure the quality of services, to the extent that some believe that the citizens cannot evaluate the services because they have never known quality before (as stated by Shaza El Harazi of Inclusion Organisation) who also added, “how can a citizen who has never known or received quality service say this service is good or bad? He does not know the difference between good and bad. Probably, he/she could tell the difference between bad and worse”.

It is worthy of note that a group of young people have managed to meet with the Yemeni Prime Minister to discuss several issues, including the government's failure to pay the tuition and cost of students studying abroad, most notably in Germany where a large number of Yemeni students are studying at the expense of the state. The response of the Prime Minister was “You have to be tough, Yemen is going through a crisis”, but he was shocked by Nesreen Elhadidi (a young activist and a media personnel) who responded, “Mr. Prime Minister, how come you ask us to be tough while the Yemeni minister is dining in France spending thousands of French Franks”.

## 10.4 Social Accountability Practices in Yemen

**Outcome 1  
Indicator:  
Government  
responsiveness**

### **Government**

The current government has formed a new committee called the Harmonisation Committee that includes the Ministry of Planning, the Ministry of Finance and the

Ministry of Local Administration. The committee is responsible for identifying community needs in all provinces of Yemen and focus on the priorities to be included in the next state budget. The committee visits all provinces in coordination with all localities in the districts to ensure citizen participation in determining their priorities.

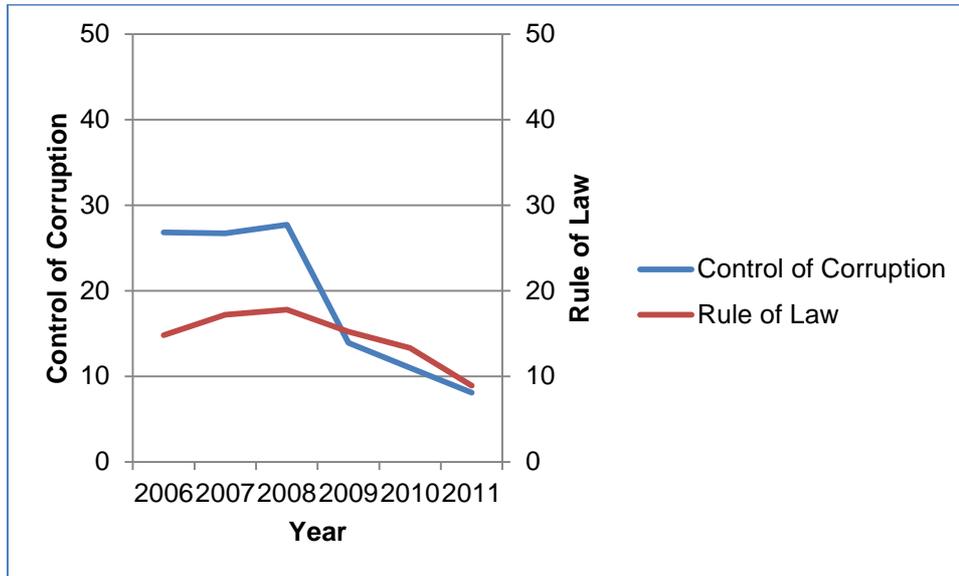
Another manifestation of the positive effects of the Arab Spring is the national dialogue, which is being prepared and will be held in March 2013. All the political and national bodies will participate in this national dialogue. It was also agreed that 112 key individuals, who were selected from across the political spectrum, as well as 23 seats for women representing women's interests will also attend.

There are examples of ministries trying to be more transparent in recent years. The Ministry of Local Administration collaborated with the Social Fund during 2007-2008, to promote a programme called "Monitoring and Community Accountability". The initiative was carried out in eight districts by creating participatory committees that include citizens, officials of the local administration and concerned parliamentarians in order to identify the problems that hinder implementation of local development plans and attempt to solve them through cooperation and coordination. A national strategy has been drafted for the Ministry of Local Administration that included some key objectives concerned with social accountability and mechanisms to activate the participatory popular control to implement the local development plans.

Similarly, the Ministry of Finance began the second phase of the "Modernisation of Public Finance" project in 2011 with support from the IMF and World Bank. One of the main components of this project is budget transparency. Yemen intensified efforts in this regard in 2012, when it published the entire state budget in the planning, drafting and final stages, on the Ministry's website. An information unit has also been established within the Ministry to provide citizens with all the data, and provide each province with its allocated budget and detailed items. Citizens can obtain this information on a free CD. Another indicator to note is the re-forming of the National Tenders Committee and the inclusion of a woman for the first time.

Despite these steps by some government ministries towards transparency, this research found that the international statistics relating to corruption and rule of law actually show a deterioration.

Figure 10.3. Control of Corruption and Rule of Law in Yemen



Source: World Bank World Governance Indicators

The research also found limited evidence that civil society has engaged with the published data so far, in order to track spending, monitor progress and hold the government to account. Therefore access is one thing; using it quite another.

**Outcome 2  
Indicator:  
Civil society voice**

**Civil society**

Another community variable associated with the Arab Spring in Yemen is the parallel changes that took place in the civil society sector. One interviewee has an unconfirmed statement that the number of NGOs and CSOs in Yemen has increased from about 9,200 to 11,000 CSOs during this period. It was noted some of these have already begun to work for the benefit of political parties.

There are several free and independent associations and institutions that have adopted empowerment strategies, advocacy, and training of young people. Some interviewees pointed out that the network of corruption with governmental bodies has started to collapse, but further time is needed to remove all corrupt schemes that have developed over the last 40 years.

Several community-based initiatives have been supported through “Istegaba/Response”, a USAID-funded programme in Yemen, which is concerned with governance. Some of the successful initiatives of the programme include a CSO that acted as a mediator and managed to reach a common agreement on a new draft “Access to information law” between Yemeni parliamentarians and government officials. The new draft was then submitted to the House of Representatives and head of the state and has been approved to make Yemen the second Arab country after Jordan to launch an Access to Information Act.

The Yemeni Monitoring Centre for Human Rights has also been supported by developing a draft law to protect the informers of corruption cases. The draft is in the process of being submitted to the Council of Ministers before going to the House of Representatives.

### **CSO experiences in Sana'a**

In the current situation of political disarray, conflict and the lack of a clear vision for the future, the National Organisation for Developing Society (NODS) has recently managed to issue a document that was drafted by a number of CSOs called, a document for Desired Civil Yemen, which recommended that 30% of parliamentary seats should be allocated for women and demanded that political parties put women on top of their election lists, some of which were religious hardliner parties. There was a positive response to the recommendations and community pressure on political parties and movements and the transitional government resulted in providing 23 women to participate in the National Dialogue (out of 112 total participants).

Pressure from civil society organisations has also been applied to pass the right of access to information law, which took five years of debate. These CSOs included the Economic Media Centre, and Parliamentarians Against Corruption Foundation, who helped parliamentarians and government officials reach a middle ground and agreement on the law.

### **Cross-sectoral initiatives**

An anti-corruption initiative was launched to connect all parties concerned with the issue of fighting corruption in Yemen. Those parties include governmental agencies: the Anti-Corruption Commission, the Central Organisation for Control and Accounting, the Supreme Committee for Tenders. Technical support has been given to these entities and a mechanism for joint action was set up and links established to concerned CSOs, such as Community Alliance for Transparency.

### **International organisations**

There are multiple multi and bi-lateral agencies working to support community involvement in development initiatives across Yemen, including UN sponsor programmes and USAID with a Responsive Governance Programme for Yemen, valued at \$125m over five years.

In response to persistent water shortages across Yemen, citizens came up with an initiative to establish water-focused NGOs under the name of "Water Users Associations". Water shortages remain problematic, especially for those living in rural and isolated areas where the government is unable to provide all citizens and regions with safe and healthy drinking water. Control mechanisms to preserve water sources and assure fair distribution of water are also lacking. The establishment of the association has helped spread citizen-based responses over districts and villages, self-regulating and controlling water allocations and use.

In 2008, the World Bank launched a project to tackle water issues in Yemen in collaboration with the governmental agencies. Due to the several challenges facing the project, and in order to reduce corruption in the project, the World Bank invited all Water Users Associations to assume the role of popular control over the bids and tenders that have to be conducted to deliver water to the citizens. These associations were trained on how to carry out monitoring roles on water-related bodies.

### **Youth shadow government experience in Yemen**

Post-revolution, a group of Yemeni young people formed a shadow government parallel to the actual government. The aim of this government is to pick up the mistakes of the government and provides solutions and suggestions to correct such mistakes. This group of young people registered themselves under an institutional framework called the “House of Justice and Development” to pursue the following objectives:

- I. Establishment of a civil state under the rule of law and constitution and create public pressure to push the government to apply its programme as approved by the House of Representatives.
- II. Enhancing the role of youth in public decision-making, and develop the popular control over government performance.
- III. Develop alternative concepts and plans for problems that may arise in the ministries, and provide appropriate solutions from the youth point of view that reflect the public interest and that of ordinary citizens.
- IV. Establish effective youth partnerships in building the modern civil state, and to unify and coordinate the young people’s efforts to push them towards effective partnership in public decision-making and acting collectively to serve the interests of the country.
- V. Seek to uphold the dignity of Yemeni citizens, internally and externally.
- VI. Activating the role of women in a democratic and free society.

These examples indicate that if a community initiates a specific and clear demand and pressures government, it is forced to respond.

### **Private sector**

Through our research we found limited evidence of the private sector in Yemen making attempts to adopt an approach towards good governance. Large companies are typically family businesses and employees are relatives or belong to the same tribe, therefore policies and management procedures tend to be informal. We found evidence that corporate governance is being used as a way to uphold values and social responsibility within a company, however this remains unstructured and limited.

Companies with international affiliations such as in the mobile phone sector have started to undertake socially orientated projects, though these are CSR rather than

social accountability projects. Some businessmen have established their own associations and institutions, which tend to be well organised and managed, for example, the Youth Imprint Association.

In summary, there are limited examples of private sector practices addressing social accountability issues, except where a businessperson is a member of wider social accountability networks, for example the Consumer Protection Associations.

Based on our discussion with network members on the institutional practices that they follow and principles of social accountability they adhere to, the following practices were revealed:

- The Yemeni Women's Union invites all public leaders to its annual meeting, as well as inviting all the 250 women leaders from all the provinces to discuss annual technical and financial reports. Some donors often attend the meeting, and branches of the Yemeni Women's Union are keen to provide formal technical and financial reports.
- All Girls Foundation is a civil association founded in 2003. In 2011, the Foundation transferred its legal identity to become a foundation rather than an association (for undisclosed reasons). We have been told that the foundation is in a process of updating its strategic plan and they have stressed that they are keen to merge social accountability as one of the foundation's strategic directions for the next phase of their work.
- The Humanitarian Forum as a civil association is keen on rotation of power among its board members and it considers the changes that take place in the governing board and rotation of power part of its organisational culture. Moreover, there are attempts to officially integrate this culture into the association's procedures and internal policies. The Humanitarian Forum is also leading a range of activities and meetings to discuss the civil society act in Yemen, along with its amendments in a framework of democratic transformation in Yemen society. The draft law was submitted to parliament for discussion nearly two years ago but was rejected. The Humanitarian Forum is currently leading a new draft to be submitted to the Yemeni parliament for discussion in 2015. In addition, the Humanitarian Forum developed a code of conduct for civil society organisations in participation with a large number of organisations and is calling for all associations and institutions in Yemen to endorse it.
- The Centre for Studies and Economic Media has confirmed that they are currently in discussion about publishing its budget and record of the annual meeting, which is attended by partners and donors to discuss the achievements of the institution and to develop recommendations future work.

### **Examples of social accountability tools used:**

Citizens participated in the preparation of local budgets in some areas, monitoring and implementing them in partnership with the government (Local Authority experience in 48 directorates with support from the United Nations and the Social Fund). However,

there is no available evidence that the budgets succeeded and that the control mechanism served its function.

Community assessment of the quality of state service quality (using a Service Assessment Card) has been used by the All Girls Foundation - with assistance from CARE Egypt - to assess the services of the Ministry of Social Affairs and Labour as a governmental service provider for CSOs. It was also used by one of the USAID funded projects Istegaba (Response), a good governance project that aims to enable communities to assess the health services provided to them.

There are certain youth initiatives that aim to enable citizens to utilise complaints mechanisms, as well as training government officials on how to examine and respond. These groups have also implemented an initiative aimed at involving CSOs with the Anti-Corruption Commission to discuss and monitor corruption cases.

As for the participatory planning tools, the participatory budgets, and control of supplies purchased through participatory community supervision, the Social Fund and the Ministry of Local Authority have applied them by involving citizens in the preparation process of local budgets and supporting them to participate in implementation and supervision of operations.

An initiative based on involving Water Users Associations as community representatives to oversee the tenders and procurement events, has been started by the World Bank to involve the community and its leaders in the purchase of equipment and supplies (Community-led Purchase of goods and services).

### **Gaps and needs:**

- Provide and modify these tools to fit with the Yemeni community culturally, linguistically, and legally.
- Train some national civil society cadres and experts on the concept, tools and implementation of social accountability.
- Simplify the design of the training curricula on how to use the tools and identify which ones are suitable for specific sectors.
- Include government officials in training and exchange experience with other countries that have applied social accountability mechanisms, and identify the challenges and successes of these experiences.
- Hold a series of meetings involving officials of various ministries with CSO leaders to consult on the best mechanisms to be applied.
- Reformulation of the tools' names to be clear and easy to be pronounced.

- Simply the training manual that explains the concept of social accountability and the tools needed on how to employ them.

## 10.5 Lessons Learned

Raising citizens' awareness to get to the point of being able to use social accountability mechanisms requires a long time and a set of training courses and multiple cumulative experiences.

Working on any of the four pillars of social accountability requires working with the government and citizens. In other words, in case of planning for any development project, the government officials along with community citizens, and CSOs should come together and focus on supporting the institutional capacity of the government and building the capability of civil society organisations as well.

Studying previous working examples in aspects of social accountability and building on their lessons learned as well as engaging all parties that have already built up expertise in working with communities and mobilise them for the benefit of community interests/ issues.

Geographical distribution of the work and activities is one of the most important issues in Yemen because of the country's size and also because of the tension between the north and south provinces. These factors have resulted in the emergence of the southern separation movement demanding separation from northern Yemen, so it is vital that any new projects should include the southern provinces and support for equitable distribution of resources and activities.

One of the important recommendations in terms of action and activity implementation is the inclusion of clergy, leveraging their influence on the Yemen community. Clerics were involved in the issuing of a civil document demanding that 30% of the parliamentary and partisan seats should be allocated for women, as well as their support for the Protection of People Living with AIDS Act.

There is agreement on the importance of establishing institutional criteria for associations and institutions that wish to join the network. One of these criteria is that those associations should be practicing the principles of transparency and accountability.

Further understanding of the role of religious associations and institutions is needed to ensure agendas of specific political movements are separated while perhaps engaging some institutions for dissemination and community empowerment. These institutions must also be engaged in a process to adopt social accountability issues.

Attention should be given to encouraging trade unions in Yemen, involving them and supporting them to become active participants of civil society.

Some argue that the tribal affiliations are the main problems and challenges facing civil society in Yemen that hinder development activities and that there is an urgent need to abandon tribalism in favour of citizenship. One effective approach to overcoming this problem is to enable the community to evaluate and control the quality of the government services (there is a recommendation for including abandoning tribalism versus citizenship in the social accountability manual).

Effectively employ modern media and social media tools in disseminating the concepts and principles of accountability. CSOs, media personnel, and activists could be trained to strengthen the use of media and social media tools for monitoring government performance and dissemination of information as well as the mobilisation of public opinion in a professional manner.

In the same context of using modern and social media tools, some of the research respondents argued that the use of technology and Internet are still limited in Yemen compared to other countries and there is an initiative from Google to assign a representative in Yemen to increase the use of Internet. It is possible to invite this representative to join the social accountability network in Yemen and coordinate with him/her to increase community awareness of the network.

It is recommended that the associations and institutions concerned with the issue of social accountability should include strategic objectives at the institutional level to adopt social accountability as a strategy and a course of action, as well as setting up the institutional principles of social accountability.

Documentation and provision of successful models for the work of marginalised communities with the government / local authorities and exchange of expertise and visits between these communities and other communities. The aim is to provide communities starting implementation of the concepts of budget transparency and monitoring of government services with proof that there is a working mechanism. This mechanism ensures successful implementation of development plans and programmes and emphasises the idea that cooperation between government and marginalised communities is possible (successful models/stories could be drawn from the Social Fund for Development and its work experience with the Ministry of Local Authority).

Greater community involvement in government service delivery could be instigated as an action strategy including transparency of budgets, access to information, freedom of civic groups.

Small charity associations that provide direct services to citizens such as micro-credit, handicrafts and vocational training associations may or may not be qualified to work on social accountability themes. However awareness of social accountability could be heightened in these associations.

There is a trend in the private sector in Yemen and among large corporations to adopt a good governance approach policies that talk about transparency and accountability. It will be important to further involve CSOs and business networks, using examples of

good business practices promoted through the University of Sana'a. The use of certain business practices may support organisational development within CSOs.

## 10.6 Yemen Case Studies

### Case study 1. Budget Transparency and The Women's Union in Aden

In 2006, the Women's Union - Aden Branch submitted a demand on behalf of the associations and community development institutions to the local council of Aden governorate to allocate budget items for associations and newly established CSOs wishing to implement community-based initiatives. The governorate's local council responded by allocating \$ 20 million Yemeni riyals for the associations and institutions in Aden as an annual line item within the governorate budget.

The Yemeni Women's Union of Aden also led an advocacy campaign with a group of women's associations in the governorate to allocate a line item in the budget to support women in senior positions and prepare them to become qualified for governmental administrative positions. The council responded by allocating \$ 5 million Yemeni riyals as an annual line item within the public budget for women empowerment to be able to assume senior positions through training workshops and related expenses.

NGOs in the governorate advocated for allocating funds for critical heart and cancer patients to fill a gap in funds and provision of care. The Council approved the transfer allocated for fire disasters, which was often returned to the state treasury.

### Case study 2. Community Monitoring of the Gail Al-Awar Canal

Gail Al-Awar Canal is a water network system engraved in the rocks at depths of up to 17 meters under the town of Shibam – Kawkaban. The canal is one of Yemen's most important pre-Islamic valuable landmarks that had been forgotten and neglected. Over decades, the canal was transformed into a place teeming with pollution and garbage as the local population had begun to drain their sewage in the canal, and dig wells that pulled water unfairly from the Ghail to be sold outside the town which led to the suspension of water flow.

In recognition of the importance of the canal, the Yemen Social Fund for Development (SFD), in partnership with the local authority, undertook a series of cleaning and restoration actions for its underground course, reservoir pool and surrounding area to bring it back to its normal functionality.<sup>102</sup> Despite the completion of maintenance and restoration efforts, certain obstacles and threats to the canal's sustainability remained including; over-pumping of the groundwater, and contamination of the canal and the pool with all kinds of waste in addition to small shops around the pool that cause direct pollution and undermine the views that could help generate tourism.

Finally, SFD launched an intensive awareness program to motivate and raise community awareness of the importance of maintaining this Ghail as a water resource.

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<sup>102</sup> This case study has been drawn from an existing case study available on the SFD website: <http://www.sfd-yemen.org/content/18/99>

The campaign targeted all sectors of society (local authority - the sheikhs, dignitaries and influential figures - students - women). The most important output of the awareness campaign is that the community members became aware of the importance of the Ghail, which led to their involvement in drafting community-based solutions. These solutions include, prevention of water sale outside Shibam, scheduling to run the pumps, removal of the shops around the pool and find alternative places for their owners, and formation of community committees to follow up the implementation of the community decisions, and monitor the status of the canal and raise the violations they found to the town Sheikhs and notables to deal with. They also assigned the local council to coordinate with the relevant authorities to seek rehabilitation of the Gail, so that it may continue for generations as a flowing water source and immortal landmark.

## 10.7 Social Accountability in Yemen SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>- Strong relationships and good communications between CSOs and decision-makers, CSOs and local communities; with broad agreement on joint action without conflicts or disagreements.</li> <li>- The network members have infrastructure and operational capabilities that can support network performance.</li> <li>- Boards of the network member CSOs and institutions are known figures in Yemen and have sufficient credibility among all concerned parties.</li> <li>- Some member associations have wide geographical coverage that supports the work of the network. For example, the Humanitarian Forum includes a large number of associations, such as the Yemeni Women's Union, which has 26 branches nationwide.</li> <li>- Existence of the Parliamentarians Against Corruption Association as one of the network members provides a powerful communication channel with the Yemeni parliament and concerned ministries, which in turn, will enhance the network performance.</li> </ul>	<ul style="list-style-type: none"> <li>- The associations' representations in the network membership are limited to individuals and cannot be considered as institutional representation as the members do not follow specific mechanisms for reporting the network activities fully to their associations/institutions.</li> <li>- Lack of allocated resources or budget for the network activities. There are no full-time employees at the network and thus, we cannot rely on volunteer time of the representatives to push forward the network activities and expand it at the national level.</li> <li>- There is a lack of national cadres capable of conducting professional training workshops on social accountability.</li> <li>- Practices of the member associations and institutions do not reflect the principles of social accountability, and there is a need to strengthen their capacity in the area of good governance and mechanisms applied.</li> <li>- Lack of member organisations or institutions from the southern provinces, which reflects absence of fair geographical diversity in the network membership at the national level in Yemen.</li> </ul>
Opportunities	Threat
<ul style="list-style-type: none"> <li>- The Yemeni government is adopting a flexible approach at the moment in terms of accepting to work on the principles of transparency and accountability.</li> <li>- Emergence of new youth coalitions in Yemen, which are both active and strong work ethic.</li> <li>- Significant change in the attitudes of Yemeni citizens in terms of claiming their rights and getting involved in the decision-making mechanism with government.</li> <li>- The multiplicity and diversity of the NGOs, civil institutions and foundations in Yemen.</li> <li>- Community-based initiatives conducted in a participatory manner could enable them to monitor the performance of government service and help overcome many of the problems that hinder local development plans.</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of security and political stability in Yemen society combined with the existence of some armed groups that carry out terrorist and sabotage actions in the name of al-Qaeda or the separation movement - especially with the approach of the next election in 2014.</li> <li>- The political conflict between the various parties and political groups that divide the society with no regard to the public interest, enhancing tribalism over citizenship.</li> <li>- Low level of public awareness among citizens of the social accountability concept to hold the government accountable.</li> <li>- Some entities or individuals abuse the accountability mechanisms, which results in turning the decision-makers against accountability and community control mechanisms.</li> </ul>



**LISTEN  
COMPREHEND  
RECOMMEND**