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SOCIAL DEVELOPMENT PAPERS

PARTICIPATION & CIVIC ENGAGEMENT

Civil Society's Role in the Governance Agenda in Ecuador:

Assessing Opportunities and Constraints

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Preface and Acknowledgments

This report, *"Civil Society's Role in the Governance Agenda in Ecuador: Assessing Opportunities and Constraints,"* is part of a series of country analytical studies[1] by the CDD and Local Governance team of the Social Development Department of The World Bank. The objective of these multi-country studies is to promote good governance in client countries by improving conditions for social accountability and demand side approaches, as an important complement to traditional public sector reforms. This study builds on research that has been conducted by civil society organizations (CSOs) and donor agencies in Ecuador on the growth and activities of CSOs, recognizing the important role they have in the country's governance and social and economic development. The study presents a number of key findings and offers recommendations for policy, institutional, legal and regulatory reforms, and interventions to enhance stakeholder capacities for social accountability.

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1 Ghana, Sierra Leone, Mongolia and Ecuador.

Acronyms and Abbreviations

AECI	Spanish Agency for International Cooperation (*Agencia Española de Cooperación Internacional*)
AME	Ecuadorian Association of Municipalities (*Asociación de Municipalidades Ecuatorianas*)
BDH	Human Development Bond (*Bono de Desarrollo Humano*)
CAMAREM	Capacity-Building System for the Management of Renewable Natural Resources (*Sistema de Capacitación para el Manejo de los Recursos Naturales Renovables*)
CCCC	Civic Commission for the Control of Corruption (*Comisión de Control Cívico de la Corrupción*)
CDES	Center of Economic and Social Rights (*Centro de Derechos Económicos y Sociales*)
CEC	Education and Training Center (*Centro de Educación y Capacitación*)
CEDA	Ecuadorian Center for Environmental Law (*Centro Ecuatoriano de Derecho Ambiental*)
CEDENMA	Ecuadorian Coordinator of Organization for the Defense of Nature and the Environment (*Coordinadora Ecuatoriana de Organizaciones para la Defensa de la Naturaleza y el Medioambiente*)
CEDIME	Research Center for Social Movements (*Centro de Investigación de los Movimientos Sociales*)
CEDOC	Ecuadorian Center of Class-Based Organizations (*Central Ecuatoriana de Organizaciones Clasistas*)
CEDOCUT	Ecuadorian Confederation of Class-Based Workers (*Confederación Ecuatoriana de Organizaciones Clasistas Unitarias de Trabajadores*)
CEMADEC	Manabita Center for Community Development (*Centro Manabita de Desarrollo Comunitario*)
CEOSL	The Ecuadorian Federation of Free Trade Unions (*Confederación Ecuatoriana de Organizaciones Sindicales Libres*)
CEP	Economic Research Center (*Centro de Investigaciones Económicas*)
CEPAM	Ecuadorian Center for the Action and Promotion of Women (*Centro Ecuatoriano para la Promoción y Acción de la Mujer*)
CEPLAES	Center for Planning and Social Studies (*Centro de Planificación y Estudios Sociales*)
CLD	Latin American Corporation for Development/Transparency International Chapter in Ecuador (*Corporación Latinoamericana para el Desarollo/Capitulo Ecuador de Transparencia Internacional*)
CNA	National Afro-Ecuadorian Federation (*Confederación Nacional Afroecuatoriana*)
CNJ	National Judicial Council (*Consejo Nacional de la Judicatura*)
CONAMUNE	National Coordinator of Afro-Ecuadorian Women (*Coordinadora Nacional de Mujeres Negras*)

CODAE	Corporation of Afro-Ecuadorian Development *(Corporación de Desarollo Afro-Ecuatoriano)*
CODENPE	Development Council for Nationalities and Populations *(Consejo de Desarrollo de las Nacionalidades y Pueblos de Ecuador)*
CONAICE	Confederation of Indigenous Nationalities of the Coast of Ecuador *(Confederación de Nacionalidades Indígenas de la Costa del Ecuador)*
CONAIE	Confederation of Indigenous Nationalities in Ecuador *(Confederación de Nacionalidades Indígenas de Ecuador)*
CONAMU	National Council for Women *(Consejo Nacional de la Mujer)*
CONFEMEC	Confederation of Women for Change *(Confederación de Mujeres por el Cambio)*
CONFENIAE	Federation of Indigenous Nationalities of the Ecuadorian Amazon *(Confederación de Nacionalidades Indígenas de la Amazonía Ecuatoriana)*
COSUDE	
CPM	Political Coordinator of Women *(Coordinadora Politica de Mujeres)*
CSO	Civil Society Organization
CTE	Ecuadorian Federation of Workers *(Confederación de Trabajadores del Ecuador)*
DNEB	National Directorate for Bilingual Education *(Dirección Nacional de Educación Bilingüe)*
DyA	Development and Self-Management *(Desarrollo y Autogestión)*
ECUARUNARI	Confederation of the Kichwa Peoples of Ecuador *(La Confederación de Pueblos de la Nacionalidad Kichwa del Ecuador)*
FEI	Ecuadorian Indigenous Federation *(Federación Ecuatoriana de Indios)*
FEINE	Federation of Indigenous Evangelists *(Federación de Indios Evangelistas)*
FENOCIN	National Confederation of Rural, Indigenous and Afro Organizations *(Confederación Nacional de Organizaciones Campesinas, Indígenas y Negras)*
FLACSO	Latin American Faculty of Social Sciences in Ecuador *(Facultad Latinoamericana de Ciencias Sociales Sede Ecuador)*
FODIMUF	Foro Integral de la Mujer y de la Familia
FOGNEP	Federation of Afro-Ecuadorian Organizations and Groups in Pichincha *(Federación de Organizaciones y Grupos Negros de Pichincha)*
FRST	Law of Fiscal Responsibility, Stabilization and Transparency *(Ley de Responsabilidad y Stabilización Fiscal y Transparencia)*
ILDIS	Latin American Social Research Institute *(Instituto Latinoamericano de Investigaciones Sociales)*
ILO	International Labor Organization
LMG	Free Maternity and Childcare Act *(Ley de Maternidad Gratuita)*

LOTAIP	Law of Transparency and Access to Public Information (*Ley de Transparencia y Acceso a la Información)*
NGO	Non-Governmental Organization
OFIS	Office of Social and Development Research *(Oficina de Investigaciones Sociales y del Desarrollo*)
OPF	Observatory of Fiscal Policy *(Observatorio de la Política Fiscal)*
ProJusticia	ProJustice
PUCE	Catholic University of Ecuador Human Rights Clinic *(Clínica de Derechos Humanos de la Pontifica Universidad Católica del Ecuador)*
SENDAS	Services for Alternative Development in the South *(Servicios para un Desarrollo Alternativo del Sur)*
SEMPLADES	National Secretariat of Planning and Development *(Secretaría Nacional de Planificación y Desarrollo)*
SERPAJ	Peace and Justice Service of Ecuador *(Servicio Paz y Justicia del Ecuador)*
SIGEF	Sistema Integrado de Gestión Financiera *(Integrated System of Financial Management)*
SIOS	Social Organization System of Ecuador *(Sistema de Organizaciones Sociales del Ecuador)*
SNV	Dutch Foundation for Development (Stichting Nederlandse Vrijwilligers)
SRI	Internal Revenue Service *(Servicio de Rentas Internas)*
UNE	National Union of Educators *(Union Nacional de Educadores)*
UNICEF	United Nations Children's Fund

Translations:

Aliméntate Ecuador	Feed Yourself Ecuador
Asociación Cristiana de Jóvenes	Christian Youth Association
Asociación de Editores de Períodicos	Association of Newspaper Editors
Asociación de Jóvenes Profesionales Shuar	Association of Shuar Young Professionals
Asamblea Constituyente	Constituent Assembly
Asamblea Ecuatoriana por los Derechos de los Jóvenes	Ecuadorian Assembly for Youth Rights
Asamblea Provincial Sociedad Civil de Esmeraldas	Provincial Assembly of Civil Society in Esmeraldas
Coalición de Control Social	Coalition of Social Control
Coalición de Organizaciones Civiles por el Acceso a la Información Pública en el Ecuador	Coalition of Civil Society Organizations for Public Access to Information
Coalición por la Justicia	Coalition for Justice
Código Laboral	Labor Code
Código de la Salud	Health Code
Cabildos Metropolitanos	Metropolitan Town Hall Meetings
Comisión Metropolitana de Control de la Corrupción – Quito Honesto	Metropolitan Commission for the Control of Corruption – Honest Quito
Comité Ecuménico de Proyectos	Ecumenical Comittee of Projects
Consejo de Organizaciones Civiles de Desarrollo Social	Council of Civil Society Organizations in Social Development
Contrato Social por la Educación	Social Contract for Education
Coordinadora de Movimientos Sociales	Coordinator for Social Movements
Defensoría del Pueblo	Ombudsman
Federación de Barrios de Paute	Neighborhood Federations of Paute
Federación de Cámaras de Esmeraldas	Federation of Chambers of Esmeraldas
Fondo Justicia y Sociedad	Justice and Society Fund
Foro Nacional de la Mujer Ecuatoriana	National Forum of Ecuadorian Women
Fundación Esquel	Esquel Foundation
Fundación María Guare	María Guare Foundation
Fundación Natura	Nature Foundation
Fundación Quellkaj	Quellkaj Foundation
Grupo Faro	Lighthouse Group
Izquierda Democrática	Democratic Left
Jubileo 2000	Jubilee 2000
Juntas parroquiales	Local parish boards
Juntas vecinales	Neighborhoods committees

Ley de Partidos Políticos	Political Parties Act
Ley de Seguridad Social	Social Security Act
Ley Electoral	Elections Act
Ley Nacional de Educación Superior	National Law of Higher Education
Ley Orgánica de Responsabilidad Fiscal, Estabilización y Transparencia	Law of Fiscal Responsibility, Stabilization and Transparency
Ministerio Público	Public Ministry
Movimiento Mi Cometa	Movement My Comet
Municipios Transparentes	Transparent Municipalities
Observatorio de Política Fiscal	Observatory of Fiscal Policy
Observatorio Político de la PUCE	Political Observatory of PUCE
Observatorio de los Derechos de la Niñez y la Adolescencia	Observatory of the Rights of Children and Youth
Observatorio de la Cooperación	Observatory of Foreign Assistance
Observatorio de la Deuda Externa	Observatory of External Debt
Observatorio de Políticas Públicas del Azuay	Observatory of Public Policies of Azuay
Observatorio Ciudadano del Congreso	Citizen Observatory of the Congress
Observatorio Socio-Ambiental	Social and Environmental Observatory
Observatorios de Justicia	Justice Observatories
Participación Ciudadana	Citizen Participation
Partido Social Cristiano	Social Christian Party
Red Cántaro	Cántaro Network
Red de Justicia	Justice Network
Ruptura 25	Rupture 25
Secretaría Nacional Anticorrupción	National Anticorruption Secretariat
Secretaría de Pueblos, Movimientos Sociales y Participación Ciudadana	Secretariat of Peoples, Social Movements and Citizen Participation
Si Joven	Yes Youngster
Tribuna Ecuatoriana del Consumidor	Ecuadorian Forum of the Consumer
Tribunal Superior Electoral	Superior Electoral Tribunal
Veedurías	Social auditing committees

PART ONE: INTRODUCTION

1.1 Background

In the past two decades, civil society has gained a more vocal role in governance issues in Ecuador, demanding not only greater accountability and transparency from the state, but also greater opportunities to engage in public policy making and in monitoring state actions.

This trend may be explained by the public's growing disillusionment with traditional channels of political representation, increasing levels of public sector corruption, and weak formal accountability mechanisms.

Both membership organizations and nongovernmental organizations (NGOs)[2] have played important – albeit different roles – in representing the demands of citizens. Membership organizations (indigenous and women's organizations and unions) have been vocal advocates for the increased recognition of the rights of their members, demanding a more accountable and more inclusive governance system. To voice their discontent, these organizations have often resorted to staging mobilizations, some of which have contributed to oust incumbent presidents and change the course of political history.

In recent years, a number of more technically oriented NGOs have also emerged focusing on governance issues, public sector transparency, and state accountability. Many use a more collaborative approach of evidence-based negotiation and dialogue with the state to effect change.

1.2 Objectives

This study seeks to provide a better understanding of how civil society organizations engage in demanding a more accountable and transparent state in Ecuador and explores the limitations and opportunities that they face in this process.

Specifically, the study seeks to:

i) Analyze how civil society actors engage in governance issues, specifically in enhancing government accountability and transparency and reducing corruption.

ii) Provide an overview of the main agendas and demands of different civil society groups that seek to enhance governance in Ecuador.

iii) Assess the factors that constrain or facilitate effective civil society engagement in governance issues, including the factors that are inherent to civil society as well as those that are related to the environment in which they operate.

iv) Identify government actions that can facilitate civil society engagement in governance as well as civil society actions that can enhance the impact of their social accountability interventions.

2 These terms are explained in section 2.2.2.

1.3 Rationale

The study responds to the recognition inside and outside the World Bank of civil society's growing role in recent years in influencing the governance agenda in Ecuador. To date, there has been no systematic analysis of this phenomenon, the opportunities and challenges it presents, and ways this engagement may be made more effective. The study seeks to fill these information gaps and guide both the government and civil society to enhance the effectiveness of social accountability initiatives.

1.4 Structure of the Study

The study is divided into six main parts. The first part introduces the study and cites the objectives, analytical framework, and methodology. The second part is an overview of the evolution of civil society in Ecuador and its main characteristics today. The third part assesses civil society's engagement in the governance arena. The fourth part examines the factors intrinsic to civil society that facilitate or constrain their effective engagement in enhancing governance; and the fifth section assesses the enabling environment factors that affect civil society's capacity to demand accountability from the state. The sixth section provides conclusions and policy recommendations.

1.5 Definitions

Accountability is the obligation of power holders to take responsibility for their actions. **Social accountability** is defined as the articulation of accountability relationships between citizens and the state[3], referring to i) the broad range of actions and mechanisms (beyond voting[4]) that citizens can use to hold the state to account; and ii) actions on the part of government, civil society, media, and other societal actors that promote or facilitate these efforts. While civil society and citizens may place a number of different demands on the state, social accountability refers specifically to demands that seek greater state accountability toward citizens. Evidence suggests that social accountability can contribute to enhanced governance, improved development effectiveness through better service delivery, and citizen empowerment (World Bank 2006).

Civil society refers to the arena – distinct from the market and the state – in which citizens come together to pursue common interests through collective action, neither for profit nor for the exercise of political power. Thus, all organizations and associations that lie between the family and the state (except firms and political parties) are part of civil society. These include religious and professional

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3 Citizens may also seek accountability from the private sector. This study, however, is focused only on government accountability.
4 While elections are an important instrument to hold governments accountable, they have proved weak in contexts where political parties fail to adequately represent the interests of all citizens. Moreover, elections only allow citizens to select among a limited number of individuals or political parties. They do not offer citizens the opportunity to express their preferences on specific issues, to contribute in a meaningful way to public decision making, or to hold public actors accountable for specific decisions or behaviors. Therefore, social accountability mechanisms can provide important complementary channels of dialogue between the state and citizens (World Bank 2006).

organizations, labor unions, the not-for-profit media, grassroots organizations, and NGOs (World Bank 2003b).

Governance is defined as the traditions and institutions by which authority in a country is exercised for the common good. This includes i) the process by which those in authority are selected, monitored, and replaced; ii) the capacity of the government to effectively manage its resources and implement sound policies; and iii) the respect of citizens for the institutions that govern economic and social interactions among them (Kaufman et. al 2003).

Accountability is a central element of good governance: citizens have the *right* to demand accountability and elected officials have an *obligation* to account for their actions and performance. Accountability also underpins the electoral process, as elections are one way to hold elected officials accountable. Accountability is essential for effective public service delivery (if accountability relations fail, public services do not reach the poor); and it is also critical to deter public sector corruption (the abuse of public office for private gain).[5] As social accountability actions seek to enhance the accountability of the state, they can be important drivers for improving governance.

1.6 Analytical Framework[6]

This study examines factors that facilitate or constrain civil society's role in enhancing governance and promoting state accountability in Ecuador. The factors are both inherent to civil society as well as external (the enabling environment).

The following factors are internal to civil society and influence its demands for state accountability:

i) **The capacity of civil society to voice its demands and concerns and negotiate these with the state**, including its capacity to generate, analyze, use, and disseminate information on government performance.

ii) **The organizational capacity of CSOs**, including their technical, human resource, and financial capacities. To effectively demand state accountability, CSOs need the technical capacity to understand governance issues, skilled human resources to engage effectively, and financial capacity to execute their goals.

iii) **The internal governance of CSOs** affects their credibility to demand social accountability. The internal governance of CSOs should include internal codes of conduct, regular financial audits, and periodically renewed boards to oversee activities. The degree to which these standards of governance are met will affect CSO credibility to demand accountability from the state.

iv) **The strategies that civil society uses to engage with different actors** to make demands for accountability. These include a variety of

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5 For a discussion on the linkages between accountability and governance, see Ackerman 2005; World Bank 2003b; and Kaufman 2005.
6 The analytical framework for assessing the factors that condition social accountability has been drawn from Anheier 2005.

interaction strategies with the state, as well as alliances with other civil society actors and with the media.

Civil society's capacity to engage effectively in governance is also determined by the larger legal and institutional environment. CSO initiatives to promote greater state accountability will be more successful in the context of an enabling environment.

Factors that create an enabling environment for social accountability include:

i) **A legal and regulatory framework for citizen participation and access to information.** This should guarantee the social and political rights of citizens to participate in the democratic process, to associate, to express opinions, and to access public information.

ii) **Opportunities provided by the state for citizens to engage in policy making and in monitoring public actions,** including government's ability and willingness to respond to civil society oversight.

iii) **Systems and mechanisms for citizens to access public information, which is fundamental for them to** effectively engage with the state and monitor its actions.

iv) **Effectively functioning, independent, and impartial judicial institutions** that ensure the predictable application of laws and adequately channel citizen demands.

It is important to note that civil society's efforts for greater state accountability should complement – not substitute – for an effectively functioning system of political representation in which elected representatives articulate, channel, and respond to the interests and demands of citizens.

1.7 Methodology

The main research for the study – including the field work and the survey – was done between January 2004 and June 2006 (before the change of administration in Ecuador in January 2007), and the main findings and conclusions relate to that time period. However, in an effort to ensure their validity and continued relevance, these were revised where necessary based on interviews with key informants carried out in May 2007 (see section 1.8).[7]

The study is based on a diverse set of research methodologies:

- **Interviews with key stakeholders**

Twenty-four interviews were conducted with key stakeholders from civil society: thirteen civil society leaders engaged in social accountability activities; five public sector, government, and political representatives; and six representatives of the international donor community. Interviews elicited views on the role of civil society in governance and the factors that foster or constrain this engagement.[8]

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7 A combination of extraordinary circumstances led to a longer time frame than is normally associated with this country analytical framework.

8 For the list of informants, see Annex 1.

- **Survey**

A total of 152 CSOs were surveyed to assess their main characteristics, engagement with governance issues and public policies, main capacities, strategies of engagement, and perceptions of government transparency and accountability. 78 of the organizations surveyed were NGOs. 74 were membership organizations (5 professional associations, 17 business associations and chambers of commerce, 16 ethnic organizations, 15 unions, 12 women's organizations, 8 neighborhood associations, and 1 association of retirees). 58 percent of the organizations were from Quito, 19 percent from Guayaquil, 14 percent from the mountain provinces, 5 percent from the Amazon region, and 4 percent from the coastal provinces.[9]

Most NGOs[10] working on social accountability in Ecuador at the time of the survey were included (the list was corroborated by specialists in the field). Other NGOs (54) were chosen according to the following criteria: i) best known NGOs in the country; ii) geographical representation; and iii) diverse thematic representation. The surveyed NGOs were selected from SIOS (Social Organization System of Ecuador)[11], the most complete database of CSOs in Ecuador.

- **Secondary literature review**

A literature review covering the main publications to date on civil society and social accountability in Ecuador was carried out (see bibliography).

- **Analysis of the legal framework for citizen participation and access to information**

The constitutional and legal frameworks were analyzed for relevant provisions on citizen participation and access to information. Some of the key laws reviewed include the Decentralization Law; the Law of Transparency and Access to Public Information (LOTAIP); the Fiscal Transparency, Stabilization, and Responsibility Law; and the Civic Participation and Investment Promotion Law.

- **Case studies**

Case studies were written to provide in-depth analysis of specific social accountability experiences, including achievements and challenges. The studies were selected to represent innovative experiences across a variety of sectors (education, health, environment, and public expenditure management) and at different levels (national, regional, and local). The case studies include the Observatory of Fiscal Policy, the participatory budgeting experience in *Cotacachi* municipality, participatory planning in *Tungurahua* province, social auditing in the health sector, and the role of civil society in promoting children's rights and in promoting LOTAIP. The main lessons learned from these case studies have been incorporated into the analysis.

- **Focus groups**

Five focus groups were organized to discuss social accountability. Three focus groups were held in Quito (business representatives, NGOs, and journalists), one in

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9 The total list of organizations surveyed can be found in Annex 3 and the survey questionnaire used for the study, in Annex 5.

10 A total of 24 NGOs working on social accountability were identified.

11 *Fundación Alternativa* manages the SIOS database, which was first elaborated in 1992. It is based on lists provided by ministries and on common knowledge. A questionnaire is sent out to all identified NGOs; those that are finally included are the ones that respond to the questionnaire. The SIOS database was last updated in 2005.

Guayaquil (women's organizations), and one in *Cuenca* (various civil society participants).[12]

1.8 Validation of Findings

The main findings, conclusions, and recommendations of the report were validated by key stakeholders through a two-stage process. The first draft of the report was submitted for discussion to key civil society, government and donor stakeholders in May 2006, and the feedback received was incorporated into a revised report. This report was once again circulated to key civil society and donor stakeholders in May 2007 for any remaining feedback and suggestions.[13]

The one-year lag between the circulation of the draft report and the revised report was due to the drafting team's wish to validate the findings of the report and present its recommendations to the incoming government in Ecuador (as well as civil society and other in-country stakeholders). However, this was ultimately not possible because of events beyond the World Bank's control. The study team instead proceeded with a more restricted dissemination and validation of findings through telephone interviews and video conferences with a selected group of in-country stakeholders. This process enabled the study team to get feedback on the study from key informants and to further review the report with necessary updates.

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12 For a list of the participants in the focus groups, see Annex 2.

13 For a list of the stakeholders participating in the validation exercises, see Annex 4.

PART TWO: CIVIL SOCIETY IN ECUADOR

An accurate assessment of civil society's role in the governance agenda today requires an understanding of what civil society is in Ecuador. This section provides an overview of the evolution of civil society in Ecuador and describes its current structure, including the different types of organizations that comprise it.

2.1 Evolution of Civil Society in Ecuador[14]

The first civil society organizations in Ecuador were charitable and voluntary organizations that provided services to the poor and vulnerable. These emerged in Quito and Guayaquil in the first decades of the twentieth century and then spread to other urban centers. Generally they were closely linked to the Catholic Church or to the economic elite. The first labor unions were formed in the 1930s after the promulgation of labor laws. The first national federation of workers, the Ecuadorian Center for Class-Based Organizations (CEDOC) was created in 1938.

In the 1950s, charitable organizations evolved into developmental NGOs. Many of these remained linked to the Catholic Church, worked in rural areas with indigenous populations during the agrarian reform process, and promoted rural development through technical assistance. A number of NGOs of the 1950s specialized in assistance to the disabled, family planning, and education.

The 1960s and 1970s saw the broadening of the NGO agenda. Think tanks and social action research centers were formed which had an influence on burgeoning leftist political movements. The 1964 agrarian reform triggered the formation of several peasant organizations which demanded land rights. Industrialization and the emergence of an international environmental movement gave rise to the first NGOs focused on urban development and the environment.[15] The first women's NGOs were created at the end of the 1970s. The expansion of public services (education, health, water, and irrigation) during this period also led to the formation of users' associations such as parent, teachers, and students associations; housing, water, and irrigation associations; as well as neighborhood associations.

In the 1980s the NGO sector grew significantly, encouraged by a new Constitution's (1979) guarantee of basic liberties. Thus, between 1980 and 1989, 199 new NGOs were formed, more than double the total number of organizations registered between 1900 and 1979.[16] Many of these were dedicated to civil, political, and cultural rights, or indigenous peoples, gender equity, and the environment. The new Constitution also transformed state-civic relations by expanding voting rights to illiterates and securing citizenship for rural dwellers and indigenous people. This trend favored the emergence of populist parties and social movements as channels for more effective representation of citizen interests. The *Coordinadora de Movimentos Sociales* (Coordinator for Social Movements) acted as an umbrella organization that incorporated environmental and women's organizations, and Afro-Ecuadorians. In 1986, CONAIE (Confederation of Indigenous Nationalities in Ecuador)

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14 Based on Arcos Cabrera and Palomeque Vallejo 1997.

15 Environmental NGOs like *Fundación Natura* were created in the 1970s.

16 80 organizations were registered between 1900 and 1979 (Arcos Cabrera and Palomeque Vallejo 1997).

was created as the first national indigenous organization spearheading the indigenous movement in the 1990s.

In the 1990s a new relationship between the state and civil society took root as civil society actors engaged proactively in the governance arena. In 1996, intense social mobilizations took place in response to the deterioration of social and economic conditions, rampant government corruption, and the deepening crisis of representation. In 1997 the president was impeached. As a result, a National Constituent Assembly was called to draft a new Constitution. The new Constitution, which was approved in 1998, provided an opportunity for civil society to engage in a new arena. For the first time in Ecuador's history, civil society actors played a key role in drafting the constitution and in broadening the constitutional base to include indigenous, women's, children's and youth rights.

2.2 An overview of Civil Society in Ecuador Today

2.2.1 Main Characteristics of Civil Society in Ecuador

Today Ecuador has an active and diverse civil society. It is composed of NGOs; foundations; think tanks; private and public sector unions; professional, business and neighborhood associations; women's, indigenous, and Afro-Ecuadorian organizations and a plethora of informal organizations, including for example church groups, sports clubs and youth groups.[17]

Ecuadorian citizens have a high level of CSO affiliation compared to other Latin American countries. A study comparing social capital across 21 countries around the world shows that Ecuador has the second highest affiliation to voluntary organizations. The study calculates that Ecuadorians belong on average to 1.75 associations. The figure for affiliation is also high compared to other Latin American countries: Chile (0.35), Uruguay (0.30) and Costa Rica (0.19). Ecuador also has the only majority among respondents claiming membership of at least one organization (Paldam and Svendsen 2006).[18] However, these figures may be over-inflated as the affiliation to professional associations is obligatory for certain employment categories as is membership in parent-teachers associations. The Ecuador CIVICUS Index calculates that CSO membership affiliation is 25% (of the surveyed sample) when excluding non-voluntary membership (Fundación Esquel 2006b). However, no cross-country comparative figures are available using this calculation.

Despite comparatively high levels of CSO affiliation, if measuring other dimensions of civic engagement, citizen participation in Ecuador is considered low. The CIVICUS index rates citizen participation (measured by an index including non-partisan political action, charitable contributions, CSO membership or affiliation, volunteer work and community action) at 1.2 on a 3-point scale (Fundación Esquel 2006b). The Ecuador Democracy Audit also records low levels of citizen participation (1.3 on a 4-point scale) using a different methodology

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17 The Ecuador CIVICUS Index identifies the following types of organizations as part of civil society: movements, single cause organizations, NGOs, foundations and corporations, unions and voluntary associations, observatories, social auditing committees and community-based organizations (Fundación Esquel 2006b).

18 57 percent of respondents claimed to be members of at least one organization. The other countries that scored high on this indicator ranked far below (Indonesia, 34 percent; Denmark and Iceland, 29 percent; and Thailand, 28 percent) (Paldam and Svendsen 2006).

(measuring frequency of assistance to meetings of civic associations, community organizations, unions, parent-teachers associations, political parties or movements, cooperative or professional associations) (Seligson et. al 2006).

Most citizen participation is conducted through informal CSOs at the community level. The Ecuador Democracy Audit 2004 shows that while many Ecuadorians participate in CSOs, most of the participation occurs at the community level through informal groupings such as church groups or parent-teacher associations (Seligson 2004). Citizen Participation in Ecuador by Type of Organization (percent)

Figure 1 Citizen Participation in Ecuador by Type of Organization (percent)
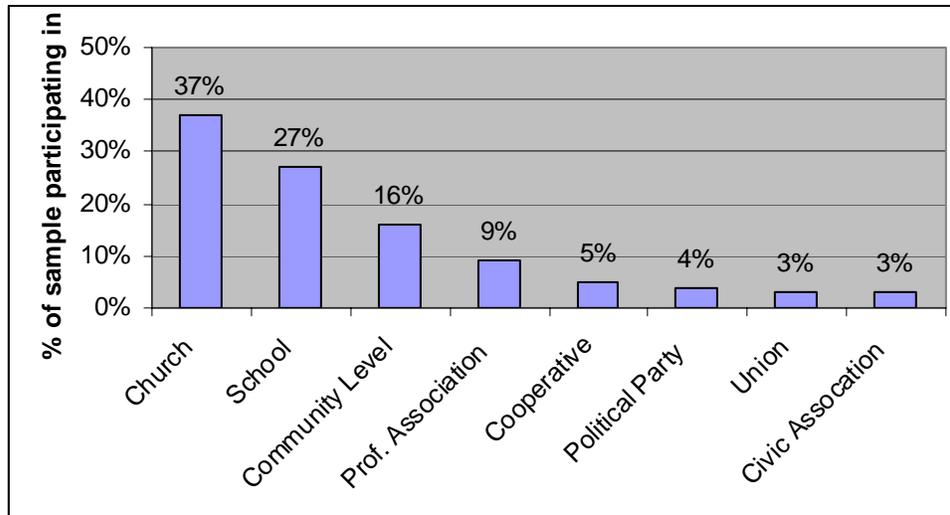
Source: Seligson 2004

There is no accurate estimate of the total number of CSOs operating in Ecuador. All legally established CSOs must register with the ministry most closely linked to their thematic area (national level) or with the corresponding municipality (local level). Hence, it is difficult to maintain a national database of all formally established civil society organizations. SIOS is the most comprehensive database that exists. It registers active and legally constituted CSOs, but excludes many organizations surveyed for this study (unions, professional associations, chambers of commerce, and many of the ethnic organizations and neighborhood associations) of which an accurate statistical overview does not exist.

The SIOS registers a total of 685 CSOs in the country. Of these, the largest proportion is national NGOs (75 percent), while the remaining 25 percent includes community-based, international[19], and religious organizations, and business networks. The CSOs registered in SIOS are active in education, health, basic services, environment, culture and arts, science and technology, production and income generation, and civil rights and democratic strengthening. They serve diverse functions including disseminating information, capacity building, training and education, technical and financial assistance, and policy and planning support (Fundación Alternativa 2005).

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19 However, this also includes 53 organizations classified as "international organizations," a category that includes both bilateral, multilateral, as well as international non-governmental organizations. There is no breakdown of how many organizations there are in each category (Fundación Alternativa 2005: xii).

Among the regions of Ecuador[20], the Highland – with 74 percent – has the largest concentration of CSOs.[21] The remaining CSOs are distributed between the Coast (17 percent) and the Amazon (with the lowest concentration at 9 percent).[22] However, if calculated by density of CSOs per inhabitant, the Amazon shows the highest density, with 0.7 organizations per inhabitant versus 0.16 for the Highland and 0.07 for the Coast. Among the provinces, Pichincha has the largest proportion of CSOs registered (45 percent), followed by Chimborazo (25 percent), and Guayas (17 percent) (Fundación Alternativa 2005).

Most CSOs manage relatively small budgets. 57 percent have annual budgets of up to US$50,000. Only 12 percent manage budgets between US$350,000 and US$1 million (Fundación Alternativa 2005).

2.2.2 Structure of Civil Society

The organizations that constitute civil society in Ecuador may be divided into two main groups:

i) *Membership organizations* (including indigenous, professional, business, women's, neighborhood, community, peasant, youth, church, sports, and parent-teacher associations) represent or provide services to members, who are united by shared interests or identities.

ii) *Public interest organizations* or *NGOs* (including corporations and foundations) provide services to third parties and advocate for issues of public interest.

2.2.2.1 Membership Organizations

Indigenous Organizations[23]

Indigenous organizations in Ecuador date back to the first half of the twentieth century with the formation of peasant unions in the 1920s and 1930s and the creation of the Ecuadorian Indigenous Federation (FEI) in 1944 (rural branch of the Ecuadorian Federation of Workers CTE). The 1979 Constitution, which guaranteed basic liberties including the vote, set the stage for the growth of several new indigenous organizations representing traditionally marginalized groups on issues such as land and natural resources. Many of these had strong support from the Catholic Church and from NGOs. An indigenous movement emerged in Ecuador in the 1990s when indigenous organizations shifted from operating at the grassroots level to form national networks (Larreamendy 2004). Today, the indigenous movement in Ecuador has representative organizations at the national, regional, and local levels.

At the national level, CONAIE, FENOCIN, and FEINE coordinate indigenous and small farmer interests. CONAIE (Confederation of Indigenous Nationalities in Ecuador),

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20 Ecuador is divided into three main geographical areas: the Highlands (Sierra), the Coast (Costa), and the East (Oriente).

21 According to the SIOS database.

22 In the analysis of projects implemented by CSOs in Ecuador, this correlates roughly with the localization of the organizations, with a clear majority covering the Highlands (Fundación Alternativa 2005: xiv).

23 This section is drawn from Dávila 2003, Larreamendy 2004, Chiriboga et. al 2005, and Ibarra 1987.

established in 1986, focuses on territorial integrity and access to land as well as indigenous people's economic, political, and cultural rights. It is today the largest indigenous federation in the country. CONAIE has been an important player in the governance agenda in Ecuador, being credited for forging the indigenous movement, creating alliances with other sociopolitical groups, and developing participatory mechanisms at the local level (Chiriboga et. al 2005). The Federation of Indigenous Evangelists (FEINE), formed in 1980, promotes socioeconomic development and indigenous identity, while the National Confederation of Rural, Indigenous and Afro Organizations (FENOCIN created in 1997) brings together indigenous peoples, small farmers, and Afro-Ecuadorians.

At the regional level, indigenous organizations include the Federation of Indigenous Nationalities of the Ecuadorian Amazon (CONFENIAE), which was created in 1980 as a response to the oil and land titling problem in the Amazon, and the Confederation of the Kichwa Peoples of Ecuador (ECUARUNARI created in 1972), which represents Highland-based nationalities. The Confederation of Indigenous Nationalities of the Coast of Ecuador (CONAICE) was recently created to represent coastal indigenous groups.

Afro-Ecuadorian Organizations

The Afro-Ecuadorian people in Ecuador have traditionally been marginalized economically, socially, and politically. As a result, they have had difficulties consolidating strong organizations. One of the first formally established Afro-Ecuadorian organizations was the Center of Afro-Ecuadorian Studies (1984), an initiative that sought to raise awareness about these groups, document their history, and support their internal organization. From the mid-1980s onwards, Afro-Ecuadorians started organizing themselves more systematically by creating base organizations, particularly at the local and later at the regional levels.

National Afro-Ecuadorian organizations have only recently been established with the creation of the Federation of Afro-Ecuadorian Organizations and Groups in Pichincha (FOGNEP) in 1997, the National Afro-Ecuadorian Federation (CNA) in 1998, and the National Coordinator of Afro-Ecuadorian Women (CONAMUNE) in 1999.

Trade Unions

The labor movement emerged in Ecuador in the first half of the twentieth century catalyzed by the industrialization process and the promulgation of the first labor laws in the 1930s. During this time, two labor federations were created (CEDOC in 1938 and CTE in 1944). CEDOC represented peasants and artisans while CTE united workers from the textile industry and the public sector. FEI - the rural branch of CTE – was also created in 1944 to represent indigenous groups from the Highlands. FEI was influential in the agrarian reform, although it has since lost influence. In the 1960s, FENOC (now FENOCIN) was formed in the rural sector and was active in promoting agrarian and land reform. Between 1950 and 1973, some 3,000 unions were formed. In the 1970s, the CTE became the most powerful labor federation, but its importance declined during the 1980s due to the growth of rival confederations, internal conflicts and splits, and governmental repression. Today, the most dominant labor unions in Ecuador are the Ecuadorian Federation of Free Trade Unions (CEOSL),

CEDOC, and CTE, which together form the United Workers' Front, the country's largest workers' confederation.

Professional and Business Associations

There are several professional and business associations in Ecuador, including chambers of commerce. These organizations represent member interests and are organized by professional groups in the case of professional associations or by sectors and geographical areas in the case of chambers of commerce. Lawyers, doctors, civil engineers, accountants, and other professionals have professional guilds; while agriculture, industry (including small industry), microfinance, and construction and other sectors are organized by chambers of commerce in Ecuador's main cities.

Women's Organizations

The women's movement in Ecuador emerged in the 1970s and comprises a wide spectrum of organizations including: i) NGOs specializing in gender issues and providing leadership training for women (the Ecuadorian Center for the Action and Promotion of Women, and *Fundación Maria Guare,* providing support to victims of domestic violence); ii) political organizations that advocate for increased political participation of women (the Political Coordinator of Women); iii) networks and forums that unite women around common interests such as economic participation; and iv) indigenous women's organizations that advocate for their rights.

Neighborhood Associations

Neighborhood associations represent an important form of social organization at the community level. They are territorially organized (according to neighborhoods), have legal status, and are the only CSO recognized in the Law of Decentralization and Social Participation. They are legally responsible for identifying and planning public works in their neighborhood, overseeing their execution and maintenance, and conducting their evaluation. Neighborhood associations are also responsible for reporting on activities in their area to their larger communities. Neighborhood associations are organized at the community level, and have federations at the regional and national levels.

Community-Based Organizations

Although the majority of community-based organizations in Ecuador are not formally registered, it is estimated that over half of the population participates in some form of organized community activity such as church groups, parent-teacher associations, cooperatives, and voluntary organizations. Their existence is critical to the formation of social capital at the grassroots level and as a lever for social reform.

2.2.2.2 Public Interest Organizations

According to the database of social organizations, SIOS, there are more than 500 NGOs in Ecuador[24] (Fundación Alternativa 2005).

These are active in many areas including environment and natural resource management, education, health, income generation, civil rights, and democratic strengthening.

The following section describes in greater detail the activities of NGOs working specifically on issues of governance and public sector accountability. It also describes how other CSOs - such as different type of membership organizations - engage on governance issues. [25]

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24 Including both international and national NGOs.

25 A more detailed description of the NGO sector will not be provided in this study as the focus here is on those NGOs working specifically on issues of governance and public sector accountability.

PART THREE: CIVIL SOCIETY AND THE GOVERNANCE AGENDA

This section begins with an overview of the governance context in Ecuador to explore the factors that have shifted the civil society agenda toward issues of governance, public sector transparency, and corruption.

It then provides an analysis and overview of CSO experience with various governance issues and of the strategies used in this process. This section shows the range of initiatives carried out by NGOs to demand and enhance government accountability and transparency. Several of these initiatives have raised visibility for governance issues in the media and the general public, forged collaborative partnerships with the public sector, and in a few cases, influenced the approval of laws that bear on government accountability.

Finally, this section examines membership organizations' engagement in the governance arena, often with different strategies, based on both social mobilizations and, in the case of the indigenous movement, participation in the formal political system. The section also analyzes the demands made by the membership groups and their achievements and influence over the national governance agenda.

3.1 Context for Civil Society's Engagement in the Governance Agenda

A number of factors explain the engagement of civil society in the governance agenda in Ecuador in the 1990s. These include the evolution of the governance context in Ecuador as well as the increasing international recognition of governance as key to the development agenda.

On the domestic front, the governance crisis of the 1990s (still present in many forms today) spread disillusionment with the state and the traditional channels of political representation. Rampant corruption, a weak and fragmented party system, lack of transparent practices, and lack of access to public information spurred civil society to demand increased accountability and transparency from the state.

Transparency International's index is one indicator of the country's low levels of transparency. In 2006 Ecuador scored 2.3 on a 10-point scale, ranking 138 out of 163 countries (on par with Venezuela, Cameroon and Niger). Perceptions of corruption have worsened in recent years with the transparency index decreasing from 3.19 in 1997 to 2.3 in 2006 (Transparency International 2006). Those surveyed in an opinion poll on the state of democracy in Ecuador ranked corruption as the third most serious problem facing the country (after economic problems and unemployment) (Seligson 2004).[26] Similar concerns are echoed in the survey of CSOs carried out for this study, in which 94 percent of respondents said the public sector lacked transparency and accountability. Also, in a study of budget

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26 41 percent stated that the most serious problems facing the country were economic problems, while 17 percent considered unemployment to be the most serious issue. Out of the 23 problems identified, 11 percent of the respondents considered corruption to be the third largest problem (Seligson 2004: 85).

transparency of 10 Latin American countries (including Brazil, Nicaragua, and Peru), Ecuador ranked last and in the second worst category (classified as providing minimal information to the public on its budget) in the 2006 budget transparency index which compares 59 countries (CDES 2003, International Budget Project 2006).[27]

Survey respondents cited political instability as the largest contributing factor to the lack of transparency and accountability of the public sector in Ecuador. Other factors included an inadequate legal framework for transparency and accountability, lack of capacity of public institutions, and both an inadequate system of incentives for public officials to demonstrate responsible behavior and a weak judicial system that permits impunity.

3.2 Civil Society and the Governance Agenda: Some Estimates

The past two decades have seen a significant shift in civil society as more organizations engage in issues of governance to enhance government accountability and transparency and reduce corruption. Membership organizations, such as indigenous and women's organizations have played important roles in demanding greater recognition of rights for their members; and an increasing number of NGOs are implementing projects on governance issues and state accountability. These include a number of recently created NGOs[28] exclusively dedicated to this mandate, as well as other NGOs – some with longer track records – that are implementing projects in this area alongside other topics.

Of the CSOs surveyed, 22 percent are estimated to work on social accountability.[29] This translates to a total of 24 NGOs actively implementing projects in this field. Of these, 7 are specialized and exclusively focused on social accountability, while the remaining 17 work on social accountability and other thematic areas.[30] Most CSOs that implement projects to promote social accountability are NGOs. Only one ethnic organization is implementing specific projects to promote social accountability (FEINE, in the field of participatory budgeting). Even though a significant number of membership organizations (35 percent) consider greater state accountability an important objective for their organization, they do not implement specific projects in this area. A minority of the CSOs surveyed did not consider social accountability to be an objective and did not implement any specific projects in this area.

While only a relatively small number of the CSOs surveyed claimed to implement projects on social accountability, public policies are an important focus for most organizations. While 84 percent of CSOs stated that the activities

27 The International Budget Project (IBP) coordinated a study of budget transparency in 10 Latin American countries (Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Nicaragua and Peru) using indicators such as budget accountability, citizen participation in budgeting, budget monitoring, changes to the budget, and information on public debt (CDES 2003). The IBP also produced a budget transparency index in 2006 which compares budget transparency across 59 countries. On a scale of countries providing extensive, significant, some minimal or scant information to the public on their public budgets, Ecuador ranked in the category of minimal, on a par with countries such as Nepal and Bangladesh (IBP 2006).
28 76 percent of organizations that work on social accountability were created after 1990.
29 To estimate this number, three additional questions were added to the survey after it had already been distributed. In the second round of the survey, only 111 organizations could be contacted to provide answers. 22 percent is calculated out of 111, subtracting one (*Si Se Puede*). In the original survey, the project, *Si Se Puede* was surveyed. However, it has since then closed and was, therefore, not considered in the final calculation.
30 For an overview of the NGOs working on social accountability, see Annex 7.

of their organization are linked to public policies, 61 percent stated that it is a high priority for their organization. Only 4 percent said that public policies were a low priority. However, more NGOs than membership organizations consider public policies to be a priority area of work for their organization (83 versus 65 percent, respectively).

The survey responses on public policy reforms pursued reflect the importance given to greater government accountability. Respondents considered enhanced citizen participation in public policies to be the most important public policy objective (61 percent). Almost half of the respondents (48 percent) sought to achieve a reduction in corruption, and 44 percent identified greater government transparency and enhanced citizen access to information as important public policy goals for their organization.

However, public policy priorities vary among types of organizations. Most ethnic and women's organizations, NGOs, and neighborhood associations identified participation in policy making as one of their top priorities for public policy change. Women's organizations also view transparency and inclusion as top public policy priorities. Both neighborhood and business associations ranked corruption and public services as their main concerns. Business associations identified state modernization as an additional priority. Unions ranked reduced corruption and poverty alleviation as the most important public policy objectives. Professional organizations were most concerned with corruption. Ethnic organizations have a strong social sector and environmental focus, with many of them working in health, education, and natural resource management.

Table 1. Public Policy Priorities (by type of organization)

Type of Organization/ Public Policy Priorities	Enhanced transparency and access to information	Reduction in corruption	Citizen participation in public policies	Improvement in the quality of public services	Inclusion	State modernization	Poverty reduction
NGOs			X				
Ethnic Organizations			X				
Neighborhood Associations		X	X	X			
Unions		X					X
Women's Organizations	X		X		X		
Professional Associations		X					
Business Associations/Chambers of Commerce		X		X		X	

Source: CSO survey conducted for this study

3.3 The Role of Civil Society in the Governance Agenda in Ecuador

3.3.1 The Role of NGOs

NGOs in Ecuador are demanding enhanced accountability of the state in a variety of ways. Some direct their efforts at the national level, others at the regional or local levels, and some at the community level. NGOs engage both in the formulation of policies, strategies, programs, and public budgets as well as in overseeing governmental action. They work in a variety of sectors, including legal and judicial reform, education, health, decentralization, environment, public expenditure management, and public sector reform.

Although a general characteristic of many CSOs is lack of coordination, organizations working on social accountability are more likely to collaborate than others. Indeed, a number of social accountability initiatives are conducted by NGO networks that were created to promote collaboration between organizations advocating for similar issues. Still, NGO dependence on external funding and the competition for scarce resources necessitate that organizations also implement programs independently, which contributes to fragment efforts.

Transparency and Access to Information

Many NGOs are concerned with enhancing government transparency and increasing public access to information. In 2002, a CSO coalition called Coalition for Access to Public Information[31] was formed to lobby for the approval of the Law of Transparency and Access to Public Information (LOTAIP). After two years of intense lobbying, negotiation, and awareness-raising activities, Congress approved the law in June 2004. The law, which contains international good practice features, represents one of the most important achievements of civil society in the past years. It is the result of a concerted effort, underwritten by donors and endorsed by the media, universities, and a coalition of NGOs who have the technical skills and expertise to advise and negotiate with the state. Still, the law would not have been approved had it not been for a few lawmakers who championed the reform inside the Congress.

The Coalition for Access to Public Information still operates and is now focused on raising awareness about the law in the public sector and in civil society. It has conducted over 27 training workshops in 13 cities, training a total of 997 public officials and civil society leaders and representatives.

The coalition also monitors the implementation of the law, conducts periodic evaluations and polls of public entities, and proposes recommendations for improvement. To date the coalition has monitored compliance with the law of over 500 public entities and will start a monthly ranking exercise of municipalities and provincial councils to monitor their compliance with the law.

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31 *Coalición de Organizaciones Civiles por el Acceso a la Información Pública en el Ecuador.*

Box 1 The Coalition for Access to Public Information

In 2002, several CSOs initiated discussions on the right to access public information. Convinced of the benefits of collective action, the CSOs established a permanent coalition, "*Coalición de Organizaciones Civiles por el Acceso a la Información Pública en el Ecuador*" [32][33], to lobby for a law on transparency and access to public information in Ecuador. The coalition integrated three different law proposals that had been brought forward by the Association of Ecuadorian Newspaper Editors, the Human Rights Clinic of the Catholic University, and a think tank.[34] The coalition was instrumental in generating a public dialogue on the proposed legislation and ensuring that the demands of civil society actors were taken into account in the final legislation, ultimately approved in June 2004 (Navas 2004).

Since the approval of the LOTAIP, some NGOs have also collaborated with the public sector to enhance its transparency and public information systems. For example, *Grupo Faro* has collaborated with several ministries including the Ministry of Public Works and the Ministry of Finance to enhance the user-friendliness and relevance of their websites in compliance with the law.

Budgets and Public Expenditure Management

In the last decade an increasing number of NGOs have been involved in public budgets and expenditures to i) increase government transparency on these; ii) provide citizens and civil society with information that is accessible and user-friendly; iii) enhance citizen participation in the budget formulation process; iv) monitor public spending; and v) enhance public debate on these issues. The organizations active in this area include among others the Observatory of Fiscal Policy, *Grupo Faro,* and CARE*.*

Box 2 Observatory of Fiscal Policy and *Grupo Faro's* Work on Budgets and Public Expenditures

Both the Observatory of Fiscal Policy (OPF) and *Grupo Faro* carry out budget literacy programs to enhance citizen understanding of public expenditure management, fiscal policy, and other macroeconomic issues. The OPF publishes monthly bulletins and educational brochures on the linkage between revenues and expenditures, the fiscal deficit, external debt, the impact of oil revenues on the economy, tax revenues, and public salaries. *Grupo Faro* publishes a newsletter called *Lupa Fiscal* to enhance citizen understanding of public budgets and thus civil society capacities to monitor these. *Lupa Fiscal* has published five issues dedicated to local government spending, the role of civil society in budget formulation, an analysis of the 2006 budget, and monitoring of the budgetary provisions of the Law of Transparency and Access to Public Information.

OPF also organizes dialogues on the yearly national budget to foster understanding and debate between civil society organizations and the government. Since the World Bank recognizes the importance of

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32 The organizations originally convening the coalition were *Participación Ciudadana, Clínica de Derechos Humanos de la Pontificia Universidad Católica del Ecuador, Fundación Esquel, Corporación Latinoamericana para el Desarrollo (CLD), Centro Ecuatoriano de Derecho Ambiental (CEDA), Fundación Futuro Latinoamericano (FFLA), Fundación Friedrich Ebert - Instituto Latinoamericano de Investigaciones Sociales (ILDIS).*

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34 *Asociación de Editores de Periodicos, the Instituto Latinoamericano de Investigaciones Sociales (ILDIS) and Clínica de Derechos Humanos de la Pontífica Universidad Católica del Ecuador (PUCE).*

35 The members of the Coalition for Social Control are: *Asamblea Provincial Sociedad Civil de Esmeraldas, Asociación de Jóvenes Profesionales Shuar, Centro de Planificación y Estudios Sociales (CEPLAES), Centro Ecuatoriano de Derecho Ambienta (CEDA), Contrato Social por la Educación, Consejo de Organizaciones Civiles de Desarrollo Social, Federación de Cámaras de Esmeraldas, Fundación Futuro Latinoamericano, Fundación Life for the Amazon, Fundación Quellkaj, FUNDAR – Galápagos, Jubileo 2000- Red Guayaquil, Observatorio Político de la PUCE, Participación Ciudadana, Ruptura 25, and UPOAEDICE.*

enhancing transparency and citizen participation in the budget process in Ecuador, it demanded such a dialogue between the CSOs and government as a precondition to the disbursement of the policy-based loan, Fiscal Consolidation and Competitive Growth Loan II.

Both OPF and *Grupo Faro* carry out budget analysis, assessing the allocation of the national budget for social programs such as health and education. OPF has also conducted a gender analysis of the budget and monitors public expenditures, specifically in the social sectors, providing periodic updates on their status.

Both OPF and *Grupo Faro* also work toward budget transparency. The OPF publishes information on salaries of public officials in different ministries; and *Grupo Faro* and the Coalition for Social Control[35] - a coalition of 16 other CSOs - have agreed to collaborate with the Ministry of Finance to enhance transparency in public expenditures. Thus, the Ministry has committed to providing the CSOs with requested information on the yearly budget and its projected allocations as well as periodic expenditure reports.

Other initiatives in the area of budgets and public expenditure management include the Observatory of External Debt, a CSO initiative to analyze levels of foreign debt and its economic implications.[36] Another initiative includes CARE's support to participatory budgeting experiences at the municipal level as well its support to the implementation of financial management information systems in a number of municipalities to enhance transparency around municipal public finances.

Public Oversight

In the past two decades, civil society oversight initiatives (many are known as observatories) have proliferated in Ecuador. These monitor different aspects of public policy, budgets, public expenditures, foreign debt, aid flows, the rights of children and youth, congressional operations and the justice sector. Most observatories have operated at the national level, although recently an observatory was created to oversee public works and contracts at the municipal level.

Table 2. Civil Society Observatories in Ecuador

Name of Observatory	Focus	Participating Organizations
Observatory of Foreign Assistance	Monitors the inflow of foreign assistance.	*Comité Ecuménico de Proyectos, Asociación Cristiana de Jóvenes*
Observatory of External Debt	Monitors the level and impact of foreign debt.	*Comité Ecuménico de Proyectos*, Observatory of Fiscal Policy, SENDAS, Ecuadorian Confederation for Class-Based Workers (CEDOCUT)
Observatory of Public Policies in Azuay	Monitors public contracts, public works and public policies in the region of Azuay.	OFIS, SENDAS
Citizen Observatory of the Congress	Monitors the work of Congress, providing information on its structure and functioning and maintains a database on the legislative and monitoring activities of the Congress.	*Participación Ciudadana, Fundación Esquel*
Observatory of the Rights of Children and Youth	Has established an index of children rights and the Child Code.	Social Observatory, UNICEF

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36 Participating organizations included SENDAS, Jubileo 2000, and the union CEDOCUT.

Social and Environmental Observatory	A research initiative dedicated to the study and monitoring of social and environmental aspects of development, with a specific focus on oil activities in the Amazon.	FLACSO
Justice Observatories (in the cities of Loja, Guayaquil, Azoguez, Ibarra and Manta/Portoviejo)	Have established a justice index to monitor the performance of the justice sector in areas such as access, independence from the executive, adherence to international treaties and rights of indigenous and Afro-Ecuadorian populations.	Initiative led by *Fundación Esquel.* Each Observatory is conformed of local CSOs.
Observatory of the 169 ILO Convention	In existence since 1999. It documents the status of indigenous rights in the areas of natural resources, territories, employment, health, education and participation and monitors Ecuador's compliance with the 169 ILO Convention.	Led by FLACSO and includes 25 members, including academic institutions, NGOs and indigenous organizations.

Procurement Oversight

Given the high potential for corruption in the public procurement processes, several NGOs have tried to enhance transparency in this area by increasing public access to information on public procurement and by monitoring public contracts.

CLD, Transparency International's local chapter, has played an important role in monitoring public procurement contracts through so-called "integrity pacts." In these, CLD representatives are invited to participate in the committees processing public contracts to observe the bidding processes, ensure their transparency, and denounce irregularities. CLD has overseen the bidding process for eight public contracts amounting to a total of approximately US$1.5 million. In 2000, CLD also created a website - *Licitenet* - which published bids of public contracts by type of service as a way to increase transparency around public procurement.

At the municipal level, *Red Cántaro*, a network of NGOs led by SENDAS,[37] also monitors public contracts and the execution of public works.

Social Auditing of Public Goods and Services

A range of initiatives monitor the quality of public goods and services, often at the local level, to identify resource leakages, reduce corruption, and enhance public service delivery.

The most visible and well-known examples are social auditing committees *(veedurías)* created by citizens or CSOs to monitor public works at the local level (for instance, the use of public resources and the quality of road construction, bridges, pavements, and hospitals), public contracts at the local and national levels, the quality of public services, and the conduct of public officials. Since 2000, more than one hundred social auditing committees have been created. Many of these have been supported by the Civic Commission for the Control of Corruption (CCCC) as well as a number of different NGOs and have played an important role in raising awareness about the rights of citizens to monitor public actions.

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37 *Red Cántaro* is coordinated by SENDAS and includes NGOs such as OFIS, CEP, CECCA, ALDES, ACORDES, CEDIR, and DONUM.

However, despite *veedurías'* enormous popularity as social control mechanisms, they have faced a number of obstacles. Some complexities arise from internal capacity issues, while others are the result of unhelpful and even hostile reactions by the state to these initiatives. As *veedurías* rely on citizen volunteers and CSOs to operate, they sometimes disband before completion of the monitoring process due to the lack of sustained initiative. Also, effective monitoring often requires an understanding of public contracting and expenditure processes, which lay citizens may lack. Many *veedurías* have encountered resistance by public officials who are averse to the public scrutiny, are unaware of the legal stipulations of the Law of Transparency, or are simply unwilling to apply the law. Although no systematic evaluation of the diverse experiences of *veedurías* has been conducted, a CCCC official opined that *veedurías* were often perceived to be more effective at the local rather than at the national level because of the smaller and more manageable scale of the issues monitored and the greater proximity to public officials.

Although *veedurías* have been the most popular channels of social oversight, some NGOs have tested other mechanisms to monitor public services. *Fundación Esquel* has, for example, piloted the implementation of citizen report cards to evaluate user satisfaction – particularly of the poor – of programs in health, education, and social protection. The initiative was funded by World Bank trust funds and supported by a policy-based loan (the Ecuador Programmatic Human Development Reform Loan).

Box 3 Citizen Report Cards as an Accountability Tool in Social Programs

In 2005-06, *Fundación Esquel*, in collaboration with the Ministry of Social Affairs and the Ministries of Health and Education developed citizen report cards – a pioneering experience in Ecuador – to evaluate three government programs: Human Development Bond – a conditional cash transfer program; the Free Maternity and Childcare Act; and Rural Basic Education programs.

The citizen report cards were financed by World Bank grants and supported by a World Bank loan. The piloting of the tool – which has proved to be an important mechanism to enhance accountability in service delivery in several countries – will also help inform two investment loans (Human Development Cash Transfer Program and Inclusion and Quality of Education Project) that have as an important focus user empowerment for enhanced accountability in service delivery.

Anticorruption

In addition to social auditing, CSOs have used other means to fight corruption. Currently, *Fundación Esquel* in partnership with the Municipality of Quito is implementing a project on corruption prevention within the municipality. The initiative has three main components: i) the development of an Ethics Code for public officials; ii) the institutional strengthening of the Metropolitan Commission for the Control of Corruption,[38] and iii) the development of a variety of social control mechanisms to help prevent corruption.

Fundación Esquel has also collaborated with the CCCC to enhance the effectiveness of its anticorruption programs through various measures to enhance CCCC's institutional and research capacity.

Fundación Esquel has also collaborated with the CCCC on a project entitled "Transparent Municipalities" to reduce corruption in local governments.[39] As part of

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38 *Comisión Metropolitana de Control de la Corrupción – Quito Honesto.*

39 Municipalities of *Rumiñahui, Cotacachi, Guamote*, and *Otavalo*.

this initiative, a range of mechanisms have been implemented to enhance transparency, access to information and accountable practices as way to reduce opportunities for corruption in those municipalities. A similar initiative was also support by CARE, who helped set up web-based "Citizen Windows" in the municipality of Quito, providing citizens with information on the municipality's programs and finances in an effort to enhance its fight against corruption.

Civil Society and the Legislature

Many CSOs conduct advocacy work to influence both the approval and content of laws and the revision of specific laws. NGOs active in this area include CLD (Transparency International's local chapter) which influenced among others the Public Procurement Law and the revisions to the Law of Penal Procedures. *Fundación Esquel* was also involved in the revisions to the Law of Penal Procedures and played an important role in lobbying for the Law of Public Defense[40]. As described earlier, the Law of Transparency and Access to Public Information was also the result of a lobbying effort by a coalition of CSOs. *Participación Ciudadana* played an important role in the revision of the Law of Electoral Spending; and *Fundación Quellkaj* advocated for the Law of Collective Rights of Indigenous Peoples and the Law of Indigenous Institutions (which failed due to lack of congressional support). The Coalition of Social Control led by *Grupo Faro* also began lobbying for a Social Control Law in 2005 to institutionalize and provide legal backing for social control mechanisms. However, the initiative has also stalled for lack of parliamentary support.[41]

Civil society also monitors the performance and accountability of the legislature. *Participación Ciudadana* has created a Citizen Observatory of the Congress (which now includes eight other CSOs and academic institutions) to monitor the structure and functioning of both the plenary and the parliamentary commissions and maintains a database of legislative proposals and norms approved by Congress. The information is published on a website available to the public.

Participación Ciudadana has also mobilized a large network of volunteers throughout the country to monitor the electoral process and electoral spending at the national and local levels and to promote informed and responsible voting among citizens. For this purpose, it also produces a digital newspaper called "Informed Citizenship."[42] *Fundación Quellkaj* has monitored elections to ensure recognition for the rights of indigenous peoples in the electoral process.

Civil Society and the Justice Sector

Civil society has also promoted social accountability in the justice sector. A network of institutions linked to the justice sector (*Coalición por la Justicia*) led by *Fundación Esquel* has created a series of indicators to monitor the performance of the justice sector in Ecuador. Under the leadership of *Fundación Esquel*, local justice observatories have been formed by CSOs in five cities to monitor these indicators. In 2005, a network of CSOs (Justice Network which includes among others *Participación*

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40 The Law of Public Defense was approved by the Congress in 2006, although it was vetoed by the President in November 2006.
41 In the interviews conducted in May 2007, several NGOs mentioned that they might take up the lobbying for the law once the Constituent Assembly process is over.
42 www.ciudadaniainformada.com

Ciudadana and *Fundación Esquel*) also conducted an important initiative to monitor the nomination of candidates to the Supreme Court, elaborating a regulation proposal for the process, reviewing the qualifications of the candidates and monitoring each step of the nomination, in addition to supplying the public with information on the entire process.

Fundación Esquel through its project *Fondo Justicia y Sociedad* created social auditing commissions that monitor the Supreme Court's penal processes on corruption, facilitating citizen participation in case analyses for the first time in Ecuador's history. The Justice Network will also launch a social auditing committee to monitor the election of the new National Judicial Council.

Table 3 Examples of CSO-led Social Accountability Initiatives in Ecuador

Area	Activities and supporting organization(s)
Public expenditure monitoring	• *Jubileo 2000*, Observatory of Fiscal Policy
Budget literacy	• Monthly bulletins and education brochures on macroeconomic issues and fiscal policies (Observatory of Fiscal Policy, *Grupo Faro, Jubileo 2000*)
Dialogue on the national budget	• Observatory of Fiscal Policy, *Grupo Faro*
Participatory budgeting	• CARE
Transparency and access to information	• Lobbying for LOTAIP (*Coalición Accesso*) • Monitoring LOTAIP implementation (*Coalición Accesso*, CLD) • Electoral information website (*Participación Ciudadana*)
Monitoring public policies and services	• Monitoring public policies (*Fundación Futuro Latinoamericano, Asamblea Ecuatoriana por los Derechos de los Jóvenes*) • Monitoring public works (*Red Cántaro*, coordinated by SENDAS, *Cabildos Metropolitanos*, OFIS) • Monitoring the quality of public services (Citizen Report Cards by *Fundación Esquel*) • *Veedurías* (*Asociación Cristiana de Jóvenes*, CAMAREN, CEDOCUT, *Coordinadora Política de Mujeres*, FODIMUF, CEDENMA, CARE)
Oversight	• Procurement Oversight (CLD) • Observatories (*Comité Ecuménico de Proyectos*, Observatory of Fiscal Policy, SENDAS, CEDOCUT, *Participación Ciudadana, Observatorio Social del Ecuador- Habitus, Federación de Barrios de Paute*, SERPAJ, *Movimiento Mi Cometa*) • Congressional oversight (*Participación Ciudadana, Fundación Esquel*)
Civil society and the justice sector	• Justice Network (*Red de Justicia*) • Justice Observatories (*Fundación Esquel*)
Civil society and laws	• Lobbying for the approval or revision of laws (CLD, *Coalición de Control Social, Jubileo 2000, Fundación Esquel, Participación Ciudadana*) • Monitoring implementation of the Consumer Law (*Tribuna Ecuatoriana del Consumidor*)

3.3.2 The Role of Membership Organizations in the Governance Agenda

Membership organizations advocate exclusively for the rights and benefits of their members, hence their mandate is different from that of NGOs. This section analyzes how Ecuador's membership organizations have engaged in the governance agenda: their strategies, their concerns, demands and achievements.

Whereas many social accountability initiatives led by NGOs rely on negotiation and even collaboration with the state, membership organizations have sometimes pursued their goals in less collaborative ways. Indigenous and women's organizations and unions have often voiced their demands through street mobilizations and road blockages. While NGOs raise funds for and implement projects of public interest, membership organizations advocate mainly for the rights of their members and they direct their activities toward that goal. Hence, while one-third of membership organizations in the survey considered greater government accountability an important objective, only one claimed to be implementing social accountability projects. Despite their different focus from NGOs, membership organizations have played an important role in Ecuador's governance agenda since the 1990s.

Indigenous Organizations

Since its emergence in the 1990s, the indigenous movement in Ecuador has played an important role in the country's governance agenda. An indigenous uprising (*levantamiento indígena*) in 1990 marked the birth of the movement as a political force in Ecuador. A multitude of indigenous peoples from across the country conducted street protests and set up road blocs to demand greater recognition of their rights, particularly access to land and indigenous territories, bilingual education, and the status of Ecuador as a multicultural and multiethnic state. These uprisings were followed by similar mobilizations in 1992 and 1994.

In 1996, the indigenous movement fundamentally redefined its relation to the state by deciding to participate in the formal political system to increase its influence over policy making. CONAIE - as part of a larger coalition - formed a political party named *Pachakutik*. In 1999, when Ecuador confronted the worst macroeconomic crisis in decades, the indigenous movement and *Pachakutik* represented the unheard demands of a large sector of impoverished Ecuadorian citizens, advocating for their needs and petitioning the state to enhance its accountability.

Almost 10 years of active participation in the political arena - through both a political party and as a social movement – have produced varied outcomes on both policy making and legislation at the national and local levels.

The 1998 Constitution represented an important achievement for the indigenous movement as it incorporated several of its demands. For the first time, the Constitution recognized the so-called indigenous nationalities (*nacionalidades*) and peoples (*pueblos*) and their ethnic rights, including their language and ancestral land, and their collective rights. The ratification of the ILO Convention 169 by Ecuador in 1998 also represented an important victory. The Convention guaranteed the right to the lands indigenous peoples occupy and use and the right to participate in the management and conservation of natural resources in their territories. The creation of the National Directorate for Bilingual Education in 1994 to oversee bilingual education programs for indigenous peoples and of the Development Council for Nationalities and Populations (CODENPE) in 2000 to formulate and oversee public policies on indigenous peoples were both important milestones.

Pachakutik's political presence has also served as an important conduit for indigenous demands in Ecuador. While the number of elected officials affiliated to the indigenous movement through *Pachakutik* remains low, the increase in their presence at both the national (6 deputies), regional (3 prefects) and local levels (20 mayors) represents important gains for indigenous peoples. Indigenous mayors of *Pachakutik* have been vital in improving local governance. They have involved citizens - through innovative participatory experiences - in planning, budgeting, and overseeing municipal affairs; thereby enhancing local government accountability despite limited fiscal decentralization and limited responsibilities for municipal governments in public service delivery at the local level.

However, while the indigenous movement has made important gains in the recent past, its effectiveness has, at times, been compromised by internal divisions and conflicts.

Afro-Ecuadorian Organizations

Due to their late incorporation into national federations (end of the 1990s), Afro-Ecuadorian organizations have not been as strong and vocal as the indigenous movement. Still, the newly created federations are important channels for advocating for Afro-Ecuadorian rights as established in the 1998 Constitution.

Existing Afro-Ecuadorian organizations advocate for the following agendas: i) public policies targeting the needs of Afro-Ecuadorian people, particularly in health, education, and the labor market; ii) enhanced awareness about the socioeconomic development of Afro-Ecuadorians through development and analysis of data and indicators; iii) greater Afro-Ecuadorian participation in their own organizations and in public and political institutions, including political parties; and iv) enhanced media awareness in using non-discriminatory language.

At the national level, achievements of Afro-Ecuadorian groups include the creation of the Corporation of Afro-Ecuadorian Development (CODAE) in 1998 as a public agency responsible for programs and public policies directed toward Afro-Ecuadorians and the creation of the Unit of Afro-Ecuadorian People in the municipality of Quito. At the local level, achievements include the recognition of their traditional forms of representation and of their ancestral territories.

Trade Unions

Worker affiliation with trade unions is low, and the movement's reach to more vulnerable groups, such as informal workers is weak. In 2002, only 12 percent of the economically active population was union-affiliated, and a large segment of workers in, for example, the banana industry – in which child labor practices have been reported – was not represented by unions.[43]

Despite this, the trade union movement in Ecuador has been a vocal force. It has often been at the forefront of social mobilizations, advocating for the rights of its members through street protests and strikes. Between 1975 and 1995, 22 national strikes were organized, not including a number of local strikes.[44]

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43 www.nationsencyclopedia.com/Americas/Ecuador-LABOR.

44 http://alainet.org/publica/diversidad/sindicalismo.html.

The labor movement's demands have included enhanced labor rights, social security, agrarian reform, greater civil liberties (especially during authoritarian periods), and economic reform, particularly on issues of privatization and the costs of basic goods (Chiriboga et. al 2005). Some of its achievements include the introduction of a minimum wage and a social security system.

During the second half of the 1990s, the labor movement adopted a more consensual approach with the government and business representatives, negotiating their demands through dialogue. As a result, the movement has in the last two decades been refashioned to incorporate a broader conception of rights including child labor, gender, and access to information. The Ecuadorian Confederation for Class-Based Workers (CEDOCUT) has, for example, made efforts to educate its own members about the Law of Transparency and Access to Public Information.

The issues at the core of the labor movement's agenda currently include: i) opposition to privatization, particularly of the social security system; ii) policies on strategic resources, particularly oil and gas prices; iii) opposition to measures that increase the cost of living in relation to salaries; and iv) labor rights.[45]

In some cases, the role of unions as civil society actors has been blurred by their political affiliation as some public unions (PetroEcuador and the National Union of Educators) maintain close ties to leftist political parties. Also, in promoting the rights of their members, unions may pursue corporatist interests that are at odds with the greater public good and public sector accountability. Similarly, teachers unions have been strong opponents of reforms to reduce teacher absenteeism or eliminate ghost workers on the payroll: reforms that would ultimately result in a more effective, transparent, and accountable education system.[46] The public unions tied to the oil and electricity sectors have also been opposed to laws to modernize the state, striking more than ten times in protest against the Law of State Modernization and the Law of Hydrocarbons.

Professional and Business Associations

Professional and business associations, including chambers of commerce, differ from unions as they are mainly composed of middle-class, white-collar workers representing different economic groups in the country. They have succeeded in having their interests well-represented with governments and individual members have sometimes come to exercise an important influence on economic policy when being elected to cabinet post and other government positions. Thus, the support of professional and business associations has many times proved crucial to governments.[47]

Women's Organizations

Since their emergence in the 1970s, women's organizations have voiced their demands using a combination of research, advocacy, and street mobilizations. Although many challenges remain, the women's movement has achieved certain milestones.

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45 Ibid.

46 Meeting with NGOs, Quito, May 2006.

47 www.country-data.com/cgi-bin/query/r-3979.

One such success is the approval of an Electoral Law establishing quotas for female candidates to elected office. Another is the creation of the National Council for Women (CONAMU) in 1997 to formulate and oversee policies affecting women. CONAMU is an important bridge between state and society as it allows civil society representation on its board. Between 1990 and 2001, the state took important steps to address gender inequalities and protect women's rights. It approved the Free Maternity and Childcare Act and the Law of Violence against Women and created targeted social sector programs such as the cash-transfer program *(*Human Development Bond*)*.

Organizations that played a significant part in effecting change included the Political Coordinator of Women and the Ecuadorian Women's National Forum. Research institutes such as the Latin American Faculty of Social Sciences in Ecuador (FLACSO) also influenced the policy debate by supplying data on women and producing disaggregated statistical information: data on incidence of domestic and intra-familiar violence, poverty data on female-headed households, statistics about labor market participation, employment rates, and data on health and mortality.

Women's organizations have also played an important role in monitoring the state's commitments to women. They have monitored compliance with the Electoral Law quotas on women's participation in political parties and electoral lists at the national and provincial levels. The CONAMU-supported social auditing committee has appeared before the Superior Electoral Tribunal to require the application of the law in this regard and has presented its case before the Constitutional Tribunal for violation of the constitutional rights of women. CONAMU has also supported the participation of women in social auditing committees of the Free Maternity Act.

Youth Organizations

Youth organizations have become an increasingly mobilized part of Ecuadorian civil society. Youth groups such as *Ruptura 25* composed of young professionals, high school and university students, and community members participated actively in the mobilizations of April 2005, demanding the resignation of the president and greater opportunities for youth participation in policy making. Many youth groups are disillusioned by traditional political parties. They seek structural political reform and more targeted policies toward youth. These demands have been articulated in a National Youth Agenda, formulated by youth organizations from across the country. Additionally, the youth movement has created *Si Joven* (Yes Youngster), the first public information system in Ecuador devoted to social indicators on youth and a guide to public policies targeting this group.

Neighborhood Associations

Neighborhood associations have also played a significant role in the governance agenda in Ecuador by advocating for and monitoring public services and goods at the community level. As neighborhood associations exist across the country and are structured both regionally and nationally, they have been able to articulate local demands at the national level. Survey responses revealed the following neighborhood concerns: reducing corruption, increasing citizen participation in public policies, and improving public services. Like unions and indigenous and

women's organizations, they often participate in social mobilizations to project their demands.

However, by being territorially organized, the demands of neighborhood associations are more generalized than those of other membership organizations. Often they are concerned with public services and works at the community level. Further, many neighborhood associations – particularly at the community level - suffer from weak technical capacity, which limits their oversight capabilities.

PART FOUR: FACTORS INTERNAL TO CIVIL SOCIETY: OPPORTUNITIES AND CONSTRAINTS FOR SOCIAL ACCOUNTABILITY

This section identifies the factors internal to civil society that constrain or enhance its capacity to demand good governance. It explores the areas that must be strengthened to maximize the impact of social accountability initiatives and ensure the responsible participation of civil society in governance issues.

The findings show that there are a number of facilitating internal factors: i) increased capacity of civil society to use, analyze and disseminate information on governance issues; ii) increased capacity to articulate and voice its demands to the state; and iii) alliance building among civil society organizations working on social accountability to coordinate actions and articulate demands, breaking from its tendency toward fragmentation.

However a number of internal constraints limit the effectiveness and sometimes the credibility of CSOs engaged in social accountability: i) only a small nucleus of organizations have increased technical capacity on governance issues while many CSOs still lack adequate skills and capacity to exercise an effective watchdog role; ii) NGOs have managed to raise visibility for issues of transparency and governance among the general public, but their impact is often limited to the educated middle class (too few initiatives target the poor and vulnerable, including indigenous and Afro-Ecuadorian populations, the disabled, or the elderly); iii) many CSOs suffer from weak internal governance and accountability systems; iv) many CSOs have weak systems of transparency and public information, which limits their credibility to demand the same from the state; v) many have low levels of organizational maturity; and vi) NGOs working on social accountability often lack targeted media strategies.

4.1. Capacity of Civil Society Actors

4.1.1 Capacity to Demand Accountability from the State

4.1.1.1 Capacity to Access, Use, and Disseminate Information

Civil society initiatives to analyze budgets and public expenditures as well as legislative and public procurement documentation testify to a growing technical capacity to credibly engage in a dialogue with the state. Organizations such as *Grupo Faro,* the Observatory of Fiscal Policy, and CLD have professional staff with training in macroeconomics, public finance, or law. Some even have public sector experience. Their technical capacity increases their credibility with public officials and facilitates collaboration with the state. These NGOs have forged innovative civil society-public sector alliances (often with the Ministry of Finance), which have contributed to enhance government transparency and public understanding of public budgets and expenditures. However, while these organizations have helped to raise the visibility of these issues in the national arena, their target audiences are generally the educated middle class. They have been less

successful in reaching vulnerable groups such as the indigenous and Afro-Ecuadorian populations.

CSO technical capacity to analyze budgets, public expenditures, and complex macroeconomic issues is generally limited to a small nucleus of NGOs. Many CSOs and community groups - especially those operating at the local level - still suffer from weak technical capacities that limit their ability to effectively monitor public actions. Thus, many *veedurías*, community groups, and even unorganized citizens involved in participatory budgeting experiences require significant capacity-building assistance to participate effectively and manage complex information to monitor public programs.

4.1.1.2 Capacity to Voice Demands

The capacity of civil society in Ecuador to voice its demands has improved dramatically in recent decades. Periodic social mobilizations have become part of Ecuador's contemporary history and may be the most ostensible sign of the weight that civil society has acquired as a counterforce to the status quo. While many CSOs use dialogue and negotiation to pursue change, frustrations over poor governance and low levels of accountability have culminated in massive social mobilizations in 1990, 1997, 2000, 2001, and 2005, of which three (1997, 2000, and 2005) culminated in the removal of the presidents. While civil society is multifaceted and diverse in agenda and approach, these social mobilizations have often brought together these disparate groups over a common agenda.

Although social mobilizations have ousted presidents and introduced some important reforms, they have had limited impact on fundamentally altering the governance system. This is corroborated by persistently low levels of citizen perceptions of government transparency and trust in public institutions.

4.1.1.3 Capacity to Negotiate with the State

While social mobilizations have traditionally been an important strategy for civil society to voice its demands, negotiation and dialogue with the state are also increasingly being used by CSOs to influence government accountability and enhance governance.

A number of examples testify to the increased negotiating power of civil society in this area, of which the most telling example may be the integration of demands for recognition of indigenous', women's, and citizen's rights in the 1998 Constitution. Civil society's role in influencing the approval and content of key legislation affecting social accountability (for example, the Law of Transparency and Access to Public Information) is also an illustrative example.

Despite some concrete achievements, many informants as well as the recent CIVICUS Index on the state of civil society in Ecuador point out that the capacity of civil society remains weak and fragmented and that the sector has overall had little influence on policy making (Fundación Esquel 2006b).

4.1.2 Organizational Capacity of CSOs

Despite a growing capacity of some civil society organizations to articulate their demands, generate evidence, and negotiate policy change with the state, a number of factors hamper this progress. These include low levels of organizational maturity and overdependence on external funding.

CSOs' overdependence on their leaders to achieve goals demonstrates weak organizational maturity. When asked to identify the level of dependency on their leader, most respondents said they were highly dependent. While leadership seems more concentrated in professional associations (80 percent), and to a certain extent in neighborhood associations (60 percent), the responses from unions indicate a lower dependence on their leadership: the majority said they depended on their leaders only in emergency situations. NGOs said dependence was moderate, and only 20 percent considered it high, suggesting a higher level of organizational maturity in the NGO sector.

A weak financial resource base is a constraint for most CSOs in Ecuador. Lack of financial resources was identified as by far the most critical obstacle to functioning effectively by 80 percent of respondents and by all types of organizations except professional associations, (which considered lack of adequate technology a more critical issue). Not surprisingly, while business associations consider lack of financial resources the main obstacle, the figure was much lower than for the other types of CSOs (56 versus 80 percent, on average). One hundred percent of the ethnic and women's organizations considered lack of financial resources to be a critical issue. Interestingly, only four out of eight NGOs specializing in social accountability considered lack of financial resources a critical issue, probably as social accountability projects attract significant external funds. However, their dependency on external funds jeopardizes the sustainability of many social accountability initiatives. Indeed, one organization reported that termination of external funding was one of the primary reasons for not continuing to lobby for a Social Control Law.

4.1.3 Internal Governance of Civil Society Organizations

Strong internal governance systems are critical for CSOs working on social accountability. If they lack the accountability and transparency that they demand from the state, the legitimacy of their demands may be seriously undermined. Survey results show that many CSOs – even those working on social accountability – still lack a culture and practice of transparency and accountability.

Effectively functioning boards is one indication of internal accountability and organizational maturity. Most social accountability-oriented organizations have functioning boards that meet on a regular basis, at least once a month, with board members rotating every two to five years.

However, only half the NGOs working on social accountability subscribe to codes of conduct, demonstrating weak systems of internal accountability compared to women's organizations, professional associations, and ethnic organizations of

which over two thirds have internal codes of conduct.[48] Overall NGOs and unions are least likely to possess codes of conduct (50 and 53 percent, respectively).

Another accountability indicator for CSOs is the extent to which they are externally and independently evaluated. Only a small majority of CSOs surveyed benefit from independent evaluations. The practice is more mainstreamed in NGOs (70 percent) – due to the requirements of their external funding sources. Approximately half of ethnic organizations and unions have external evaluations. Neighborhood associations and, surprisingly, professional and business associations have external evaluations least systematically (only 38 percent).

Just over half of CSOs surveyed benefit from external financial audits. NGOs are most systematic, with 72 percent[49], followed by ethnic organizations (62 percent), while unions and neighborhood associations benefit least (approximately 20 percent). Surprisingly, only half of the chambers of commerce have their finances externally audited.

The majority of CSOs (53 percent) do not make financial information publicly available. However, the patterns differ among different types of organizations. At the higher end of the spectrum are ethnic, neighborhood, and professional associations with two-thirds sharing information. Only one-third of NGOs made their financial information publicly available, with those working on social accountability showing a higher score than those that did not (50 versus 30 percent, respectively). Unions show the lowest levels, with only one-fourth making their financial information publicly available.

While most CSOs make the information on their *programs* available to the public, the information is not always clear or complete. Dissemination of information is particularly important for organizations working on social accountability as their goal is to raise public awareness and encourage debate.

4.2 Strategies of Engagement

4.2.1 Intra Civil Society Strategies of Engagement

NGOs working on social accountability build alliances with other CSOs to achieve goals. Eighty-eight percent of NGOs working on social accountability and all the NGOs specialized on the topic use this strategy. Alliances with other CSOs was also an important strategy for those CSOs that did not work on social accountability (60 percent of those organizations used this strategy), but not as significant as for those that did. The CSO coalitions focused on social accountability issues mentioned earlier in the report testify to the popularity and effectiveness of this strategy to achieve public sector change. As CSOs working on social accountability often need to pressurize the state, coordinating agendas around common issues of concern may prove particularly effective.

The tendency of NGOs working on social accountability to rally around issues of common concern contrasts with the general tendency of CSOs to work in an uncoordinated fashion. According to the CIVICUS public opinion poll,

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48 92 percent of women's organizations, 80 percent of professional associations and 70 percent of ethnic organizations have internal codes of conduct.

49 The figure rises to 84 percent for those organizations working on social accountability.

73 percent of informants considered communication between CSOs to be limited and 7 percent considered it to be nonexistent. Sixty percent of those surveyed considered there was little collaboration among CSOs (Fundación Esquel 2006b).

4.2.2 Strategies of Engagement with the State

A large majority of CSOs (86 percent) in the survey interact with the state, both at the national and local levels. Unions and professional and business associations have the greatest interaction while neighborhood associations engage the least as they operate at the community level.

The strategies that civil society uses to engage with the state vary. Among the NGOs specialized in social accountability, lobbying, dialogue, negotiation, and social auditing were identified as the most common forms of interaction. All organizations, except unions and women's organizations also view dialogue and negotiation as the most effective strategy to achieve their goals. Despite this, many NGOs interviewed said that lobbying skills remain weak among their professionals.

Recent political history in Ecuador demonstrates that civil society often uses mobilizations to voice its demands. Indeed, 40 percent of CSOs surveyed use mobilizations and it was cited as the second most common engagement strategy after alliance building. However, only unions identified mobilizations as their primary engagement strategy. As many as two-thirds of women's organizations and ethnic and neighborhood associations claimed to use mobilizations to pursue their goals. The figure was slightly lower – though still significant – for NGOs (44 percent). It is interesting to note that as many as 38 percent of CSOs surveyed use negotiation, dialogue, *and* mobilization as strategies to pursue their goals. While mobilization was not the primary engagement strategy of most CSOs, it was perceived as the second most effective strategy to achieve change (after negotiation), which may explain the frequency of social mobilizations in Ecuador.

NGOs specialized in social accountability seem to resort to more collaborative and less confrontational strategies to achieve change. Only three out of seven NGOs specialized in social accountability cited using mobilizations as a strategy of engagement with the state. Many of these NGOs have entered formal cooperation agreements with the state to exchange information and collaborate on specific issues (such as the Observatory of Fiscal Policy or *Grupo Faro* with the Ministry of Finance or *Participación Ciudadana* with the Superior Electoral Tribunal).

The use of social mobilizations to voice citizen discontent demonstrates an often antagonistic relationship between civil society and the state in Ecuador. This may reflect the lack of constructive channels of dialogue and negotiation between these sectors and the lack of receptiveness of the state to respond to peaceful civil demands. This is also corroborated by the CIVICUS Index which finds that 81 percent of its survey respondents consider dialogue with the central government limited (Fundación Esquel 2006b). This may indicate a need to refashion existing forms of state-civil society interaction to ensure adequate channels for citizens to articulate demands and the state to respond to them. The process may also require that formal channels of political representation are made more responsive of citizen interests.

The least pursued strategy is legal recourse and lawsuits, used by only one-third of all CSOs surveyed (three out of the eight organizations specialized in social accountability), probably due to the weaknesses of the judicial system to respond to and provide adequate follow-up to civil society demands.

Relationships with the state are most effectively forged through personal contacts, suggesting a more informal interaction rather than institutionalized relationships between CSOs and the state. This may reflect both the sociopolitical culture as well as the lack of organizational maturity of CSOs in Ecuador.

4.2.3 Strategies of Engagement with the Media

The media is a key ally for organizations working on social accountability. All such NGOs use the media to influence public opinion. Radio and the written press are the most common media channels used by NGOs.

Despite the importance attached to the media as a means for generating public opinion on issues of social accountability, only half of the specialized NGOs actually have a media strategy. Also, only half have established a permanent post for a media relations manager. Finally, relations with the media are also highly mediated by personal contacts.

PART FIVE: ENABLING ENVIRONMENT FOR SOCIAL ACCOUNTABILITY: CONSTRAINTS AND OPPORTUNITIES

While the internal factors discussed above determine CSO ability to demand social accountability, these factors must be considered in the larger context of the external enabling environment.

The findings show that the main strengths of the current enabling environment for social accountability in Ecuador include: i) a relatively enabling constitutional and legal framework for citizen participation and access to information; ii) the establishment of a number of state-civil society bridging mechanisms, which allow citizens and CSOs to participate in different aspects of public policies; and iii) an increasing interest of the media to stimulate awareness on social accountability and the emergence of some initiatives to enhance media capacity for investigative journalism.

However, there are a number of constraints to the effective engagement of civil society: i) the lack of specific legislation on processes of accountability and transparency, particularly at the local level; ii) the reliance on the political will of mayors to implement participatory processes at the local level; iii) persistently low perceptions of public sector transparency and accountability and lack of trust in public institutions; iv) weak technical capacity of national-level state-civil society forums; v) politicization of national state-society mechanisms; vi) inadequate implementation of the legal framework for access to information; vii) lack of adequate incentives in the public sector for accountability and transparency; and viii) a weak judicial system that inadequately enforces laws and penalties for lack of compliance.

5.1 The Legal Framework for Social Accountability

There is an improved constitutional, legal, and regulatory framework for social accountability in Ecuador which contributes to a more enabling environment for civil society organizations and unorganized citizens to participate in public life beyond voting and accessing public information.

5.1.1 Provisions for Citizen Participation

The constitutional framework in Ecuador provides a relatively enabling legal basis for citizen and civil society association and participation. The right of citizens to associate and form civic, nonprofit associations is encoded in the Constitution and the Civil Code and in a number of different laws. These support organization of civil society in various areas and of various interest groups, including children,[50] youth,[51] students, women,[52] farmers,[53] tourism professionals,[54] lawyers,[55]

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[50] *„Código de Menores „* Chapter VI, Article 37, 2003.

[51] *„Código de la Niñez y′ Adolescencia „* , Articles 63, 65, and 66, 2003; *„Ley de la Juventud „,* Article 9, 2001.

road maintenance workers,[56] artisans,[57] teachers,[58] and consumers.[59] However, it should be noted that some of these laws require obligatory affiliation to professional associations for certain groups (such as for example lawyers and those working in the tourism industry) and to parent-teachers associations, which critics say goes against freedom of association (Fundación Esquel 2006b).

However, the registration process of CSOs is dispersed among different line ministries and between the national and local levels, so that it is difficult to gauge the total number of CSOs actively operating in the country. While criteria for registering, monitoring, and closing CSOs are harmonized through an executive decree,[60] the registration of CSOs is done with the relevant line ministry. The 685 CSOs in the SIOS database are registered with 16 different ministries. However, slightly more than two-thirds of CSOs are registered either with the Ministry of Social Welfare (more than half) or the Ministry of Education (15 percent).

The executive decree, however, does not apply at the local level. There, responsibilities are shared between municipalities and Local Youth Councils (which are responsible for registering youth organizations).

The right to extra-electoral citizen participation is also firmly established in the constitutional, legal, and regulatory framework in Ecuador. The Constitution of 1998 presents important advances in this area compared to the Constitution of 1979. The latter made advances in recognizing basic civil and political rights for all citizens, including ethnic minorities. It also extended voting rights to illiterates and tentatively recognized the rights of business and workers' associations to participate in the public arena. The 1998 Constitution, on the other hand, is more far-reaching. It defines the government as a "participatory entity" and establishes the right of citizen participation in various areas beyond the electoral process.

The 1998 Constitution promotes citizen participation in the formulation of health and education policies; in planning; in policies directed to youth and children; in policies and programs aimed at indigenous peoples, Afro-Ecuadorians, and women; and in agricultural, environmental, and cultural policies. It firmly enshrines the right of citizens to participate in public consultations, in presenting bills to Congress, and in revoking elected mandates in cases of corruption.

The 1998 Constitution also explicitly establishes the rights of citizens to demand accountability from the state. Citizens are entitled to petition the state and to receive responses within an adequate timeframe. They are entitled to demand compensation for environmental damages and for prejudicial treatment in the context of public service delivery. Citizens are also provided constitutional protection from illegitimate acts committed by the authorities.

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52 „Reglamento de Aprobación, Control y Extinción de las Organizaciones de Mujeres, Constituidas de Conformidad con el Título XXIX, Libro I, Código Civil", 1999.

53 „Reglamento para el Reconocimiento de Asociaciones de Carácter Agrícola, Pecuario o Agropecuario".

54 „Ley Especial de Desarrollo Turístico", Article 3, 2002.

55 „Ley de Federación de Abogados", Article 2, paragraphs 1, 3, and 5, 1966.

56 „Reglamento para la Aprobación de Asociaciones de Mantenimiento Vial".

57 „Ley de Fomento Artesanal", Article 1, 1986.

58 „Ley de Carrera Docente y Escalafón del Magisterio Nacional", Articles 5 and 21, 1990.

59 „Ley Orgánica de Defensa del Consumidor", Article 4.

60 Executive Decree 3054 unifies the procedures for the approval, control, and closure of all nonprofit associations independently of the ministry with which they are registered.

Citizen participation in local affairs is also firmly supported by the legislative framework. At the municipal level, the Decentralization and Social Participation Law that regulates decentralization[61] defines citizen participation as intrinsic to local governance as it ensures a more equitable distribution of public services and resources. The law further specifies the right of citizens to participate in municipal consultations at the initiative of either the municipal council or the local parish board.

The Decentralization and Social Participation Law also establishes participatory bodies for citizen representatives to conduct municipal oversight. Neighborhood committees oversee the adequate delivery of public services, and vigilance committees, designated by local parish boards, evaluate the quality and efficiency of public works in their jurisdiction and present complaints for wrong-doing.

Although citizen participation is vital to decentralization and to the establishment of participatory bodies, the following limit the institutionalization of social accountability systems at the municipal level: i) the law does not specify accountability and transparency processes for municipal governments to ensure that information on municipal services, programs, and finances are made available on a systematic basis to citizens; and ii) the implementation of participatory planning and budgeting processes is not required by the law, leaving it at the personal discretion of individual mayors. This limits the scaling up and systematic use of participatory spaces at the local and regional levels.

Various horizontal accountability mechanisms in the legal framework offer innovative ways for citizens to demand accountability from the state. The Constitution establishes the figure of the Ombudsman to ensure the quality of public services and provide a channel for citizens to direct their complaints. The Civic Commission for the Control of Corruption (CCCC) investigates corruption cases of public agencies and channels these to the appropriate sanctioning bodies.[62] The CCCC is different from other more traditional public anticorruption bodies in that civil society appoints its board members.[63] The Constitution also establishes more traditional horizontal accountability mechanisms. These include the Comptroller General to monitor and audit the use of public resources and the Attorney General, as the legal representative of the state and the Public Ministry to coordinate legal actions to punish corruption.

The constitutional and legal framework in Ecuador thus reflects the increasing recognition of the value of citizen participation and social accountability at both the national and local levels. It recognizes not only the right of citizens to engage in the public arena beyond the traditional political channels and their right to access public information and it also establishes the responsibilities of public officials and mechanisms to ensure internal checks and balances. However, despite these important achievements, many CSOs consider that several constitutional rights fail to translate into institutionalized mechanisms, limiting the actual implementation and enforcement of these rights in practice.

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61 „*Ley Especial de Descentralización y Participación Social* „.

62 After investigation, the CCCC channels the cases to the Public Ministry and the Comptroller General.

63 The members are nominated every four years by electoral colleges representing indigenous, Afro-Ecuadorian, peasant, and women's organizations, human rights and consumer organizations, unions, chambers of production, mass media organizations, professional associations, and universities.

5.1.2 Provisions for Access to Information

Information is critical for social accountability. Citizens and CSOs need adequate information to formulate and voice their opinions, monitor government performance, public service delivery and public expenditures, and to effectively negotiate with public officials.

The constitutional and legal framework in Ecuador provides a solid base for citizens to access public information. As previously stated, the current legislation is the result of a civil society and media campaign for legislation on access to information. However, while the Constitution was largely the result of heavy social mobilizations, the legislation on access to information is the fruit of a collaborative effort between different non-governmental sectors and the Congress to enhance citizen access to information.

The Constitution guarantees citizens' right to access information.[64] In addition, two important laws, the Law of Fiscal Responsibility, Stabilization and Transparency and the Law of Transparency and Access to Public Information further specify the state's obligation to share public information and citizens' right to demand and access it.

For a long time, the only legislation in Ecuador to guarantee citizens' access to information was the Law of Fiscal Responsibility, Stabilization and Transparency. The law not only guarantees citizen access to budgetary information of public and private entities managing public funds but also envisions its use for "citizen control of public management," that is, the citizen's role in monitoring the state.[65] However, the law does not have the reach to cover all types of information. It is limited to budgets and public expenditures. It is weak in attributing responsibilities for providing information and makes no provisions for sanctions to ensure compliance.

To fill this gap, in 2002 civil society began a campaign to demand the enactment of a Law of Access to Public Information in Ecuador. After two years of analysis of international good practice of public information laws, lobbying and advocacy, negotiation and public dialogue, the Congress finally passed the Law of Transparency and Access to Public Information in 2004.

The law contains essential elements for ensuring the legal right to public information. The general objectives of the law are to: i) fulfill the principles of transparency and accountability established in the Constitution by making public information accessible to all citizens; ii) promote the democratization of Ecuadorian society; and iii) facilitate citizen participation in decision making and enable citizens to monitor and control the public sector and its resources.

Despite the law's important role in guaranteeing free access to all public information for the first time in Ecuador's history and its incorporation of several international

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64 Including public archives, except information regarding national security, 1998 Constitution, Article 81.

65 The Law of Fiscal Responsibility, Stabilization and Transparency guarantees free citizen access to "documents and information on budget, accounting, contract and credit operations of all public and private sector entities managing public funds." It also requires the Ministry of Finance to "establish an official system of information and ample dissemination, which will serve as basis for citizen control," Article 18.

good practice features, critics point out weaknesses in Ecuador's Transparency Law as compared to laws in other countries.

Box 4 Strengths and Weaknesses of the Law of Transparency and Access to Public Information

The Law of Transparency and Access to Public Information mandates the type of information that should be provided to citizens and identifies the institutions responsible for providing it. The law requires all public information to be made accessible to citizens, including data that has been created or acquired by public institutions; any information developed by private individuals with public resources or as an outcome of a public act. Some information is exempt such as that related to national security or law enforcement. The law also specifies minimum information requirements to be published for each public institution[66] and websites where this information should be made available. The stipulation carries a deadline of one year (June 2005) from the date of publication of the law in the Official Journal. The law also requires that the information provided be clear, correct, and accessible.

All public bodies are subject to the law, including private or nonprofit organizations that receive public funding. These institutions are required to submit an annual report to the Ombudsman, citing their progress in implementing the law. The obligation of public officials is also specified, having to respond to information requests within a limit of 10 days (extendable up to 15 days maximum). All information made available or requested has to be provided free of charge.

The law also establishes sanctions for public officials who do not comply with the law including fines and suspension of services for a period of time and, in cases of persistent violation, termination of functions. Finally, the Ombudsman is designated as the public entity responsible for promoting and monitoring the implementation of the law.

Some areas where the law compares unfavorably with international good-practice legislation include:

- **The ambiguous definition of public bodies.** In some parts of the law[67] it includes NGOs receiving public funding while in other parts, it refers to any type of NGO. Such ambiguity may lead to the uneven application of the law.
- **The narrow definition of public information.** Some critics point out that the definition of public information does not encompass information that affects the public interest and the exercise of fundamental human rights; for example, private companies' environmental impact assessments. Also, failure to specify criteria for classifying certain information as confidential creates a loophole for circumvention.
- **The law has no special provisions for dissemination of information to vulnerable groups, such as the disabled, children, or non-Spanish-speaking indigenous peoples.**
- The sanctions stipulated in the law are limited and do not include elected or appointed officials.
- The law assigns the Ombudsman the role to promote, monitor, and ensure its effective implementation, but it makes no provision for increased allocation of resources and capacity strengthening to carry out this new role.

5.2. State-Supported Spaces for Civil Society Participation

The 1997 social uprisings gave rise to important constitutional and legislative changes that formed the basis for the creation of new public bodies that would allow for greater civil society representation and participation in policy-making processes. These include the Civic Commission for the Control of Corruption, the Ombudsman, CONAMU, CODENPE, and CODAE. While

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66 These include: the organizational structure of each institution, their objectives and goals, internal regulations and procedures, programs, services offered and ways to access them, hours of operation, and a directory of all personnel in the institution, annual budget (including income and expenditures), the salary of each position, and any additional income, travel expenditures of personnel, audit results, a complete text of all collective contracts, detailed information on all public contracts for goods and services, as well as management reports and performance indicators "to ensure accountability to citizens," LOTAIP, Article 7.
67 Article 2, Law of Transparency and Access to Public Information.

these bodies represent important achievements for civil society, their effectiveness has been undermined by weak technical capacities and, in some cases, politicization.

The legal framework has also created a relatively enabling environment for innovative participatory experiences at the local level. Some municipalities have established participatory budgeting processes and some regional governments have initiated processes of participatory planning. However, major deficiencies in intergovernmental relations create structural constraints for citizens to demand accountability from local governments and for these to respond. Also, specific mechanisms of social accountability and participation (beyond neighborhood committees and local parish boards) are poorly defined. The implementation of participatory mechanisms at the municipal level has thus so far depended on the political will of individual mayors and has not been systematized beyond a few municipalities.

More and better spaces for citizen participation in national and local public affairs are a central part of the discourse of the administration that took office in January 2007. One of its initiatives is to convene a Constituent Assembly, an elected body with civil society and political representation, to draft a new Constitution. This presents a unique opportunity for civil society to participate in shaping the future of the country. Other initiatives that have provided spaces for citizen participation include commissions (with civil society representatives) to i) review issues related to external debt; ii) investigate crimes committed during the 1984-88 period, and iii) discuss issues related to mining. Interest in scaling up the use of social auditing mechanisms in social programs and enhancing citizen participation in public budgeting exercises has also been stated as part of the government's intentions. However, exactly how such mechanisms will be implemented and with what kind of civil society involvement, have yet to be defined.

Some representatives of the civil society groups interviewed as part of the study dissemination were enthusiastic about engaging in these government initiatives, while others were more skeptical. However, all of them were concerned with securing spaces for dialogue and citizen participation that are genuinely inclusive of the diverse civil society players, as well as respectful of their autonomy. They were most interested in ensuring continued access to public information, freedom of expression, and freedom of the press. Because the implementation of new mechanisms of civil society participation by the administration that took office in January 2007 is still in the early days, the following analysis is mainly centered on spaces created prior to this period.

5.2.1 National-Level Spaces

The Civic Commission for the Control of Corruption (CCCC)

The CCCC (created in 1998) carries out an array of programs to prevent, identify, and investigate corruption within the public sector. The organization is an interesting hybrid: a public entity with autonomy from the executive[68] and a board designated by civil society that also runs programs in partnership with CSOs. To pursue its mandate, the CCCC offers awareness programs to adults and children

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68 As opposed to the National Anticorruption Secretariat - established in 2007 - which is housed within the Presidency and focuses solely on investigating corruption cases within the Executive.

on issues of corruption, transparency, and public accountability. The CCCC also promotes anticorruption networks at the national, regional and local levels for both youth and adults. These act as focal points for many activities carried out by the CCCC. There are currently 7 provincial and 16 cantonal anticorruption networks hosted by the CCCC.

The CCCC also promotes creation, operation, and capacity building of social auditing committees (*veedurías*) at the national, regional, or local level. Citizens or CSOs may create social auditing committees to monitor the performance of public institutions and officials and the adequate use of public resources. In January 2006, Congress approved regulation for the creation and functioning of social auditing committees. The regulation establishes guidelines and procedures for their functioning and formally recognizes their existence. By requiring periodic reporting to the CCCC, it also enables the CCCC to have an overview of the different social auditing committees operating in the country. In May 2007, the CCCC had overseen the approval of more than 100 social auditing committees in 13 of Ecuador's provinces.[69]

The CCCC has played an important role in contributing to public acceptance for social auditing committees in enhancing public sector transparency. The support of the CCCC and recent regulation have provided a more official character to the *veedurías* and enhanced their credibility. Additionally, independent CSO initiatives have also spurred the proliferation of *veedurías* in many different areas. Over two thousand cases have been filed with the CCCC to date. Indeed, more than half of the organizations in the survey working on social accountability claimed to have participated in *veedurías* and six out of eight of social accountability NGOs used this mechanism to monitor the state. Many membership organizations surveyed (30 percent) had also participated in social auditing committees: women's organizations and professional associations cited greater participation than indigenous organizations.

While it may be said that the CCCC has played an important role in raising public awareness on corruption, the institution is limited by its dependence on the Comptroller General and the Fiscal Control Agency to pursue cases. These agencies are in turn constrained by a weak judicial system that has historically lacked independence from the executive. The CCCC's weak resource base also limits its capacity in the fight against corruption.

Finally, whereas earlier many CSOs had embraced the CCCC as an important ally in the fight against public corruption, many came to question its credibility, which has at times been tainted by party politics. While the process of board nominations was designed to be free of political interference, with civil society nominating the candidates, the last elections (2004) were tainted by party politics, as at least two candidates were seen as politically designated.[70] Although they were ultimately forced to resign, the credibility of the CCCC was seriously eroded. An opinion poll showed that trust in the CCCC decreased from 42 to 34 percent between 2000 and 2004. However, the institution seems to have increased its credibility in recent years, with the same opinion poll from 2006 showing an increase in trust to 39 percent. While it still enjoys higher levels of trust

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69 El Universo, March 17, 2006, "Veedurías Ciudadanas: una Opción para Ejercer Nuestros Derechos" and interview with Cecilia Gonzaga, CCCC, May 2007.

70 The representative of universities, Romulo Lopez Sabando and the representative of professional associations, Ricardo Vanegas.

than political parties (15 percent) or the Congress (17 percent), the CCCC is less trusted than the Ombudsman or the Armed Forces (44 and 52 percent respectively) (Seligson et al. 2006).

CODENPE

CODENPE (Development Council for Nationalities and Populations) was formed in response to civil society's demands for enhanced government accountability and increased citizen participation in policy making. The institution was created in 2000 in response to the growing indigenous movement of the 1990s and its demands for greater recognition of rights and greater voice to its representatives in the policy-making process.

CODENPE reports directly to the president. The president nominates its executive secretary in agreement with indigenous organizations and a board of representatives of the different indigenous groups[71] (CONAIE and FENOCIN[72]). CODENPE's mandate is to enable indigenous civil society representatives to oversee the implementation of the constitutional provisions related to indigenous peoples, to advocate for and raise awareness about indigenous peoples' rights, to participate in the formulation of public policies directed at indigenous peoples, and to ensure improved delivery and access to public services for indigenous populations. CODENPE receives funding from both the state and from international donors and supports programs that benefit indigenous populations and strengthen municipalities led by indigenous mayors, particularly in participatory planning and budgeting.

While CODENPE has facilitated a constructive dialogue between the state and indigenous peoples and has been an intermediary during confrontation (the mobilizations of 2000 and 2001), **it has been less successful in influencing public policies**. CODENPE has concentrated its energies on specific projects rather than on formulating and influencing public policies relating to indigenous peoples. Moreover, the agency's credibility has suffered due to internal power struggles.

CODAE

CODAE was created in 1998 to address the demands of the Afro-Ecuadorian populations for greater recognition of their rights and to cater specifically for their needs. CODAE's institutional framework roughly resembles that of CODENPE with a board consisting of representatives of the main Afro-Ecuadorian organizations. However, like CODENPE, CODAE's influence on public policies (directed toward Afro-Ecuadorian people) has been limited, largely due to internal tensions and the lack of leadership with national legitimacy. CODAE has also suffered from institutional weakness and political interference.

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71 CODENPE's board has representatives of every ethnic group in Ecuador self-identified as "indigenous nationalities," including the Shuar, Achuar, Huaorani, Siona, Secoya, Cofan, Zapara, Chachi, Tsa'chila, Epera, Awa, Shiwiarm as well as a representative of each pueblo of Kichwa nationality and a representative of the Pueblo Manta-Huancavilca.

72 Afro-Ecuadorian groups are not represented in CODENPE as they decided to act outside of the proposed structure, and operate within a separate public body (CODAE).

CONAMU

The creation of CONAMU (National Council for Women) in 1997[73] was an important step in the recognition of gender rights. It formulates and oversees policies to promote women's rights. Like CODENPE, CONAMU reports directly to the president. While CONAMU's head is appointed by the president, the candidate must be selected from a shortlist proposed by women's organizations. The board has equal representation (three of each) of civil society organizations and the public sector.[74]

Women's organizations have seized the opportunity of having a direct representation on the board of an agency in the Presidency to voice their demands and influence policies affecting women. The agency is seen by many CSOs as the most successful public body with civil society representation at the national level. It has managed to shield itself from political interference and has made advances in promoting greater gender equity in laws, policies, and programs.

Among CONAMU's achievements is the inclusion of gender equity provisions in key legislation such as the Social Security Act, the Health Code, the Higher Education Act, the Elections Act, the Political Parties Act, and the Labor Code. For example, the Elections Act stipulates that electoral lists must have a 30-percent minimum quota for women, mandating 5-percent increments until there is parity with men. Similarly, the Family Code Bill introduces legislation on domestic violence. Finally, CONAMU has established training programs in women's rights and domestic and gender-related violence for officials enforcing the Law on Violence against Women and the Family (CONAMU 2004).

CONAMU has also monitored the implementation of the Free Maternity and Childcare Act, which guarantees women's reproductive health and sexual rights by providing 43 health care services for poor women. To monitor the implementation of the law, CONAMU provided financial and technical support to social auditing by user's committees.[75] To date, there are user's committees in 65 cantons in the country, and there are capacity-building services for users in 455 parishes (CONAMU 2004). There is also a grievance hotline that receives and responds to complaints from mothers. CONAMU also publishes a biannual bulletin listing expenditures, transfers of resources, as well as unutilized funds for programs related to the Free Maternity and Childcare Act.

In an effort to better coordinate the efforts of agencies such as CODENPE, CODAE and CONAMU and enhance their effectiveness, the administration that came to power in January 2007 has created the Secretariat for Indigenous and Afro-Ecuadorian Peoples, Social Movements and Citizen Participation within the Presidency.

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73 CONAMU was created through Executive Decree No. 764 and published in Official Register No. 182 on October 28, 1997.

74 The public sector representatives of CONAMU's board are from the General Secretariat of Public Administration, the National Secretariat of Planning and Development (SENPLADES), and the Technical Secretariat of the Social Front. The current civil society representatives on CONAMU's board are from *Foro Nacional Permanente de la Mujer* (Permanent National Forum of Women), *Confederación de Mujeres por el Cambio* – CONFEMEC - (Confederation of Women for Change), and *Coordinadora Política de Mujeres* (CPME).

75 In 2003, CONAMU gave US$ 20,000 to user's committees for social auditing of the Free Maternity and Childcare Act. These funds were used mainly to raise awareness among women health-services users about their rights and the obligations of the law, and to train them to claim their rights through social auditing of the law (CONAMU 2004).

The Ombudsman *(Defensoría del Pueblo)*

The 1998 Constitution established the Ombudsman as an autonomous public agency to ensure the quality of public services, to provide a primary channel for citizens to address their complaints, and to provide legal defense to prisoners without the financial means to pay for such a service. After the approval of the Law of Transparency and Access to Public Information, the Ombudsman was also given the mandate to monitor the implementation of the law.

Unlike the agencies discussed above (CCCC, CONAMU, CODAE, or CODENPE), the Ombudsman is not a hybrid civil society-public sector agency. However, the Constitution stipulates that the Ombudsman be appointed by Congress in consultation with human rights civil society organizations.

The Ombudsman enjoys a high level of credibility as compared to other public sector institutions. 44 percent of citizens trust the Ombudsman, making it the most trusted judicial institution in Ecuador. However, the Ombudsman is still less trusted than the Catholic Church (67 percent), the mass media (58 percent), or Armed Forces (52 percent) (Seligson et al. 2006).

Despite high levels of trust, the Ombudsman suffers from several weaknesses that reduce its effectiveness. First, lacking the legal means to pursue cases, the Ombudsman can only document human rights violations. Further, the existing judicial system does not provide an effective channel to process demands. Hence, the role of the Ombudsman is limited to establishing moral – not legal – sanctions.

Moreover, political interference has compromised the credibility of the Ombudsman. In 2005, Congress nominated an Ombudsman who was strongly opposed by civil society, which has tainted the agency's political neutrality. There have been accusations from civil society that local Ombudsman offices have been distributed as favors among the political parties that supported the congressional nomination.

The credibility of the Ombudsman is also undermined by weak institutional capacity.[76] The mandate to monitor the Law of Transparency and Access to Public Information has been added to the agency's many other responsibilities without a corresponding increase in resources. This further undermines the capacity of the Ombudsman to perform this role adequately, leaving the agency with a two-person technical team to monitor the compliance of 5,000 public agencies.

Although there are a number of formal institutions that can facilitate state-civic interaction to formulate and monitor public policies, these institutions suffer from problems that compromise their credibility and effectiveness in mediating civil society-state interests. Weak technical capacity and high levels of political interference have eroded their credibility in the eyes of many civil society organizations. Further, civil society's internal conflicts and divisions have also undermined their effectiveness. CSO's internal problems underscore the issue of legitimacy and representation, as CSO leaders are not democratically elected.

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76 The 2005 budget of the Ombudsman was a little over US$ 7 million, which is low compared to countries like Colombia, which allocated almost US$ 26 million to its Ombudsman (www.cejamaricas.org/reporte).

The Constituent Assembly *(Asamblea Constituyente)*

One of the electoral promises of the administration that took office in January 2007 was to convene a Constituent Assembly (with civil society and political representatives) to draft a new Constitution for Ecuador and provide a new institutional framework for the Ecuadorian state. The proposal was submitted for a referendum on April 15, 2007, and won the approval of an overwhelming majority of Ecuadorian citizens (82 percent versus 12 percent against). The Assembly will be formed (elections are planned for September 15, 2007) by 130 delegates democratically elected trough universal suffrage. Any candidate from civil society or a political party that has support from 1 percent of the electoral registry can become a candidate and be elected to the Assembly. A hundred of the delegates will be elected provincially, 24 nationally, and 6 by Ecuadorians living abroad. The Assembly will be formed for a period of 6 months with a possibility to extend its duration for 2 additional months (TSE 2007). The Council of Higher Education (CONESUP) has been charged with elaborating a draft from which the Assembly can perform its duty. CONESUP is in the process of elaborating its draft based on proposals received from civil society organizations, parliamentarians, political parties, and public agencies. The process shares similarities to the one carried out for the drafting of the 1998 Constitution.

The Constituent Assembly provides a unique opportunity for civil society to directly participate in shaping the constitutional framework of the country and also confers an important responsibility to all participating actors to define policies and principles that can truly build the basis for a more accountable, equitable, and participatory society.

5.2.2 Municipal-Level Spaces

The legal and regulatory framework for decentralization allows citizen participation in different aspects of municipal affairs, including consultations and oversight of public service delivery and public works. However, while the legal framework provides a sound basis for citizen participation, it permits each municipality to define the extent of participation and the specific roles and responsibilities of the mechanisms that they wish to introduce. The high level of discretion allowed local decision makers has inhibited the systematic implementation of participatory practices at the municipal level in Ecuador.

Compared to other Latin American countries, citizen participation at the municipal level in Ecuador is low. When comparing citizen attendance at municipal meetings, Ecuador ranked the third lowest out of 8 Latin American countries, with Mexico, Honduras, Nicaragua, Guatemala and Bolivia ranking above (and only Costa Rica and Panama ranking below). Eight percent of survey respondents in Ecuador said that they had attended municipal meetings, in comparison to 17 and 18 percent in Guatemala and Bolivia. When measuring demands made to local governments, Ecuador ranked lowest in the region (12 percent compared to Bolivia at 21 percent, Costa Rica at 20 percent and Mexico, Nicaragua and Guatemala at 18 percent, respectively) (Seligson 2004).

Figure 2 Citizen Participation at the Municipal Level in Latin America
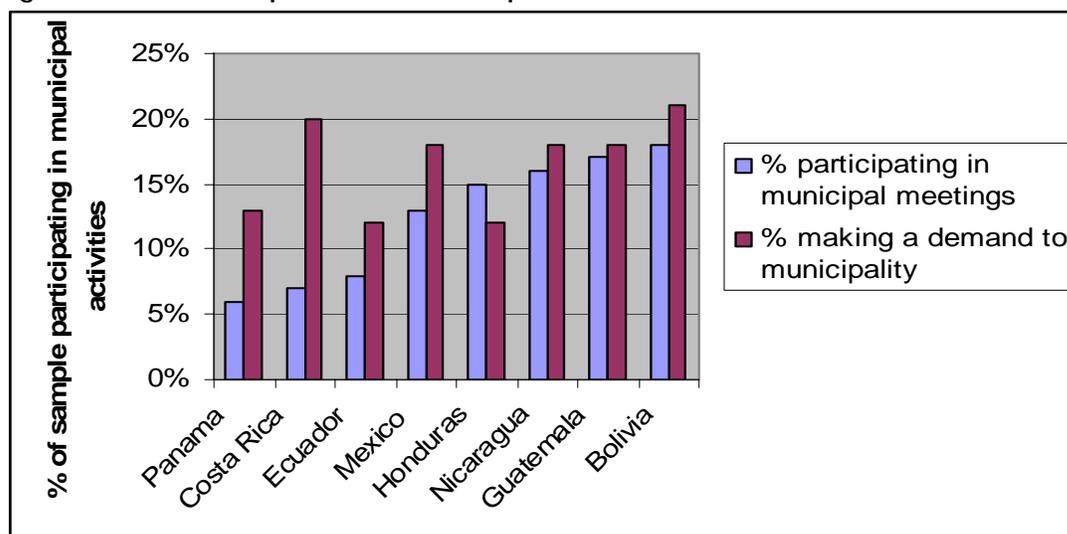
Source: Seligson 2004

However, levels of local participation in Ecuador were significantly higher in local parish board meetings (16 percent) **than in municipal meetings at the cantonal level** (8 percent), which may be explained by closer proximity or a closer identification with more localized issues (Seligson 2004).

Levels of municipal participation also varied according to geographical location and rural-urban environment. Levels of participation in municipal meetings were higher in rural areas and in medium-size cities and consistently higher in Quito than in Guayaquil.

Participatory planning and budgeting

Despite the overall low levels of citizen participation at the municipal level, a number of municipalities have seized opportunities in the legal framework to implement innovative mechanisms of citizen participation and of oversight in planning and budgeting. Many of these have been led by indigenous mayors who have formed an association of "alternative municipalities."

While participatory budgeting experiences have been implemented in a small minority of municipalities (approximately 10 percent),[77] the experiences have been innovative and have provided interesting examples of how to build constructive partnerships between government and civil society at the local level which can contribute to enhance trust in municipal administrations.

The factors that generally have converged to give rise to these experiences include: i) strong political will and commitment on the part of the mayors, ii) the existence of vocal citizen coalitions that have pressured for increased participation and transparency at the local level and iii) the existence of NGOs and other

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77 It is estimated that participatory budgeting has been implemented in approximately 20 municipalities (Care Ecuador www.care.org.ec/pp). However, although several sources were consulted, no accurate estimations and overview could be provided on the number of participatory budgeting experiences in the country.

organizations specialized in participatory processes that have been able to contribute to the capacity-building of local actors (including both local governments officials, as well as civil society actors and individual citizens).

Box 5 Examples of Participatory Budgeting at the Municipal Level in Ecuador: the Experiences of *Cotacachi* and *Guamote*

Participatory Budgeting (PB) may be broadly defined as a process through which citizens identify their priority needs, formulate the budget, and monitor budget execution. In Ecuador, approximately 10 percent of municipalities use participatory budgeting to enhance municipal accountability and increase citizen participation in local affairs. Participatory budgeting has enhanced transparency of municipal management; promoted permanent mechanisms for dialogue between citizens and municipal governments; enhanced citizen access to information; and empowered citizens to influence priority setting, planning, and budget allocations as a counter to clientelism and vested interests. Ultimately, it has helped governments to be more responsive to people's needs.

Since 2001, when the Municipal Assembly and the mayor began a participatory democracy initiative in the municipality of *Cotacachi*, participatory budgeting has been practiced there. It is divided into the following phases: (1) bottom-up participatory planning process; (2) prioritization of projects (public works and basic services) based on the needs of women, children, youths, and others involved in the process; (3) presentation of the budget and definition of agreements; and (4) evaluation and rationalization of the participatory municipal budget. Approximately 200 social organizations and 600 citizens have participated in the process. While one of the most significant achievements has been to reduce clientelism in budget formulation, those previously benefiting from clientelistic practices have strongly opposed the participatory budgeting process. Despite pressure from these powerful interest groups, the mayor has remained committed to the process.

A Participatory Municipal Development Plan and participatory budgeting were implemented in the municipality of *Guamote* in 1997. NGOs played an important role in mobilizing resources, providing technical support, and stimulating the process. While there was strong local support for the initiative initially, this was superseded by local political rivalries and conflicts. When the municipal administration changed in 2000, municipal management became less transparent. The new mayor expelled all NGOs that scrutinized his administration, thus effectively putting an end to participatory budgeting in the municipality.

The most significant difference between the two experiences is the level of political support for participatory budgeting. In *Cotacachi*, participatory budgeting has continued to thrive due to the mayor's support, whereas in *Guamote*, it was effectively abrogated due to hostility from both the mayor and the local parliament. Thus, the will of public officials and CSOs is critical in ensuring the sustainability of participatory budgeting approaches in the Ecuadorian context.

Source: Ortiz 2004 and Bebbington 2006

Constraints in the Decentralization Environment

Despite these encouraging trends, shortcomings in the decentralization framework in Ecuador create structural constraints for citizens to demand accountability from local governments and for local governments to be downwardly accountable. Three main shortcomings include:

- The dual political structure at each sub-national level, which allows both elected and appointed authorities to coexist, weakens the electoral accountability link between citizens and their elected leaders.

- The responsibilities are not clearly designated across levels of government, making it difficult to know whom to hold accountable for a particular service.

- The fiscal decentralization framework offers weak incentives for municipal governments to tax their own citizens, thus removing a crucial motivation for citizens to demand accountability from local governments. Municipal

governments receive high levels of fiscal transfers from the central government without corresponding responsibilities in expenditures. Hence, municipal governments have less incentive to tax citizens, and citizens are less motivated to demand accountability (Frank 2003; Hall 2005).

5.3 Access to Information: From Legal Framework to Practice

The new legal framework for access to information established the rights of citizens to access public information and the obligation of the state to make it publicly available. However, the implementation of the law and creation of a culture of transparency and public access to information are slower to establish.

Three years after the approval of the Law of Transparency and Access to Public Information, implementation remains slow. While most of the civil society organizations working on social accountability consider access to information from public sector entities vital, two-thirds of those surveyed only received the information they requested occasionally, rarely, or never. Only 15 percent consider that the information received from the state is sufficient, relevant, and reliable while as many as two-thirds consider it to be insufficient. [78]

Civil society organizations working on social accountability most often need information from the public sector on public and macroeconomic policies and on public works. Of slightly less priority is information on laws and regulations, public debt and expenditures, and public services.

The information systems set up to respond to the requirements of the law are still in their infancy. Monitoring exercises of the implementation of the law carried out by the local chapter of Transparency International (CLD) indicate that 98 percent of public institutions are not complying with all the requirements of the law. While many public entities have created institutional websites (the law established a one-year deadline from the approval date), the information they provide is still inadequate. Indeed, while more than half of the respondents stated that they obtained public sector information from websites, more than two-thirds had to directly request it from public entities or public officials.

Box 6 Progress in Implementing the Law of Transparency and Access to Public Information

CLD and Coalition for Access to Public Information have developed a methodology and an index for measuring public institutions' compliance with the Law of Transparency and Access to Information by analyzing their websites. Since the approval of the Law in June 2004, they have conducted periodic monitoring exercises to assess the public sector's progress in implementing the law. The most recent exercise was finalized in January 2007 and covered 303 public institutions, including central government ministries, provincial councils, municipal governments, public enterprises, universities, judicial institutions, political parties and political institutions.

Of the 303 public institutions monitored, 32 percent do not have institutional websites and of those that do, only 2 got a 100 percent score on the index (the Ministry of Energy and Mines and the Municipal Government of Azogues).

Central Government Ministries. The exercise shows that less than half (47 percent) of ministries comply with the law, more than half of those who do, do not reach a 50 percent compliance rate and that no Ministry complies with all the requirements. The exercise also shows that no significant progress was achieved from the monitoring exercise conducted in 2005-2006. The Ministry of Energy and Mines and the

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78 Note that the survey represents perceptions from 2005.

Ministry of Public Works were those that scored best, while the Ministry of Health had the worst score. The information that is most often missing from the websites is on the services provided by the institution, how to access them and opening hours.

Provincial Councils. Only 36 percent of Provincial Councils have institutional websites and of those that do, the level of compliance with the requirements of the law is 33 percent. 10 out of the 13 Provincial Councils do not reach a 50 percent compliance rate.

Municipal Governments. 44 of the 52 municipal governments monitored do not reach a 50 percent compliance with the law.

Political Parties. Political parties scored the worst among the different type of institutions monitored. Only 8 of the 103 political parties and movements registered had a website.

Source: CLD 2007

The survey results also corroborate the slow implementation of the Law of Transparency and Access to Public Information and the difficulties that citizens and CSOs still face in accessing public information. Central reasons (cited by informants) for the slow progress include public officials' ignorance about their legal obligation to provide information, the fear that the information would be used against them, the behavior of public officials to guard information, and the lack of operational mechanisms to disseminate information. Other factors cited were lack of incentives for public officials to provide information and the high costs of accessing information. These responses resonated with the focus groups and civil society leaders, who agreed that Ecuador still lacks a public sector culture of transparency and access to information, that systems to generate information remain poor, and that incentives for public officials to provide citizens with information are not in place. Another important structural factor that also explains the lack of transparency on budgetary information, particularly on public expenditures, is that the public financial management system (SIGEF) is not yet fully rolled out (expected completion date is January 2008). This limits the generation of complete and timely information on public expenditures.

Despite difficulties in implementing the Law of Transparency, some public institutions are perceived as more transparent than others. In the survey, local governments were viewed as better than other public agencies at providing citizens with information. At the central level, while many points below local governments, the CCCC and the Internal Revenue Service were perceived as the most transparent public institutions. On the other hand, the Ministry of Finance was perceived as the least transparent public institution.

Table 4 Public Institutions Perceived as Least and Most Transparent by CSOs

Least transparent public institution	%	Most transparent public institution	%
1. Ministry of Finance	17	1. Local governments	15
2. Congress	7	2. None	14
2. Local governments	7	2. CCCC	11
4. Presidency	6	4. Internal Revenue Service (SRI)	7
5. Armed forces	5		
6. All	4		

Source: CSO survey conducted for this study

Hence, while the Law of Transparency and Access to Public Information has markedly improved the legal framework for access to information, the actual implementation of the law has been severely hampered: enforcement is weak, and incentives for

public officials few. Further, most agencies face significant challenges in producing accurate and timely information. There are however encouraging examples at both the national and local levels of public entities that have made significant efforts to increase citizens' access to information. Civil society has also been playing an important role in pushing for greater openness and in collaborating with public institutions to enhance their systems of access to information.

The agreements between the Ministry of Finance and *Grupo Faro,* on the one hand, and the Observatory of Fiscal Policy, on the other, to provide budgetary information represent innovative initiatives to enhance transparency. The initiatives are particularly important given the Ministry's perceived low levels of transparency. The collaborative relationship with the two institutions, underpinned by the law, has resulted in a consistent response by the Ministry to the information requests of the NGOs.[79]

Transparency and public access to information are principles that are also part of the discourse of the administration that came to office in January 2007. Concrete examples of the implementation of these principles include the organization of a national budget dialogue in early 2007 that allowed for a discussion of the budget among the Executive, the Congress, and civil society organizations before its approval. Also, in an effort to demonstrate accountability to the public, several ministries presented a report on their programs and achievements after the government's first 100 days in office. Continued commitment to enhance government transparency and public access to information will be key to reverse citizens' low levels of trust in the state and poor perceptions of public sector transparency.

5.4 The Role of the Media in Providing Citizens with Information

In addition to the information that citizens and CSOs obtain directly from the state to shape public policies and monitor performance, another important source of independent information is the media.

The survey shows that NGOs specializing in social accountability rely on the media to generate public debate on key issues and exercise pressure on the state for greater accountability and transparency.

However, the survey also shows that the media is not perceived as fully utilizing its role to generate public opinion on governance, transparency, and accountability. More than half of the social accountability NGOs surveyed thought the media did not provide adequate coverage of these issues. The data collected from interviews and focus groups with both civil society organizations and media representatives also suggest that overall, the media is not perceived to provide the quality and depth of information citizens or civil society need to effectively monitor the state.
Self-censorship and weak investigative journalism rather than government censorship may explain this phenomenon. The index of freedom of expression established by Journalists without Borders ranks Ecuador 68 out of 168 countries,

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79 The Ministry of Finance provided a yearly progress report to the Ombudsman on the implementation of the Law of Transparency and Access to Public Information.

which is higher than for neighboring countries like Peru and Colombia (Reporters Without Borders 2006). The journalists interviewed for the study agreed in characterizing the situation in Ecuador as "not ideal, but not alarming either."

The perceived shallow analytical coverage of governance issues by the media may be explained by the ownership structure of the written press and television. A few wealthy families with close connections to the traditional political parties own the main newspapers and television channels. The narrow ownership of the media has in the past contributed to a perceived complacency and self-censorship with regard to the political system.

However, while the ownership structure remains unchanged, there has been a shift in the last decade, with some parts of the media having become increasingly critical of the political system and pursuing more investigative forms of journalism. This shift has been spurred by civil society and its demands for a more independent and critical stance from the media. The mobilizations of April 2005 caused a parallel shift in the media's perception of civil society, increasingly recognizing as an important force in Ecuador's governance scene and as a social actor to be consulted for alternative sources of information.

Different forms of media assume their journalistic responsibility in different ways. Although no newspaper in Ecuador[80] has a research unit, individual newspaper journalists have conducted investigative journalism on specific topics. However, these initiatives are highly dependent on the individual reporter and do not generally contribute to build the capacity of the newspaper as a whole. In the spirit of responsible journalism, the newspaper, *El Comercio* recently created a unit of social responsibility as part of a regional project on the civic responsibility of the media. The unit focuses on participatory public management in the social sector. To start they have summoned a diverse set of actors in the public and private sectors and civil society to generate a debate on education policies and to monitor the quality and structure of spending in education.

While *El Comercio's* initiative represents an important advance in establishing a more socially conscious and responsible journalism at the national level, it is still an isolated initiative. In general, national print journalists are perceived as taking a sensationalist approach to reporting corruption, highlighting high profile cases of corrupt or nepotistic public officials, rather than providing in-depth and balanced analysis of the causes and potential solutions to the problem.

At the local level, there seems to be a closer link between civil society and the written press. For example *El Mercurio* in Cuenca dedicates a monthly page to civil society initiatives. This has provided an important channel for *Red Cántaro* - a CSO network that monitors public service delivery and public works at the local level – to disseminate information on its activities to the public.

Television is perceived as closely tied to the economic and political elite, not only through ownership, but also through its dependence on state-funded publicity. Although serious investigative journalism has traditionally been less common in television, the criticism it received for inadequately portraying the events

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80 There are five newspapers with national coverage in Ecuador: *El Universo* (130,100 issues), *El Comercio* (80,000 issues), *La Hora*, *El Expreso* (Guayaquil), and *Hoy.*

of April 2005 is perceived to have led to improved communication with civil society (recently, several television programs have invited civil society leaders to discuss current affairs and political issues) and increased efforts to produce programs based on journalistic research. Despite these efforts, the CSO survey indicates that radio and the written press, rather than television, are perceived as more receptive to social accountability.

Radio, which also has a weak capacity for investigative journalism, is perceived as the best vehicle to carry the views and voice of civil society actors. This is in part due to radio's two-way character but also to the strong social mission of many community radios with ties to the NGO sector. Radio Luna, a community radio based in Quito, played an important role in the April 2005 mobilizations, allowing regime opponents to voice their demands and call for civil society action.

5.5 The Role of the Justice Sector for Social Accountability

The justice sector plays a key role in social accountability, ensuring the adequate enforcement of laws and regulations and the application of sanctions for acts of noncompliance, fraud, corruption or wrong-doing. While a number of reforms have been undertaken in recent years to enhance the effectiveness of the justice system, a number of challenges still remain, ultimately undermining the potential impact of social auditing and other citizen exercises to monitor corruption and government compliance with laws and regulations.

5.5.1 Main Challenges for the Justice Sector

The main challenges faced by Ecuador's justice system include: (i) budget constraints; ii) institutional structures and procedures in need of reform; iii) lengthy processing times for resolution of legal actions; iv) corruption; v) limited technical and management capacity of key sector actors such as judges and administrative or court personnel; and vi) a tendency towards politicization (World Bank 2002; Fretes-Cibils et. al 2003; Institut Internacional de Governabilitat de Catalunya 2005).

Ecuador's justice sector has a relatively weak financial and human resource base. The justice sector budget has decreased systematically during the second half of the 1990s. Although it has increased since 2000, the share of the national budget allocated to the Judiciary (1.97 percent in 2004) is below the Latin American average (Institut Internacional de Governabilitat de Catalunya 2005). Systemic modernization efforts will undoubtedly require additional funding, at least in the short term.

Additionally, the size of the Judiciary in Ecuador (681 members including the Supreme Court, Superior Courts, and Judges**) is modest compared to that of its neighboring countries.** In 2003 Ecuador had 831 judges or a ratio of 6.1 judges per 100,000 inhabitants - compared to 9.5 in Bolivia, 9.1 in Honduras, and 7.7 in Brazil.[81]

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81 http://www.cejamericas.org.

Although there is a law for the enactment of oral procedures, implementation of such a system remains weak. In many instances, the Judiciary continues to rely on the traditional written system. Although some limited progress has been made in applying the oral-based system to criminal procedures, a full transition has yet to take place. An oral argument-based system would enhance transparency and efficiency. It would provide direct access to evidence, consolidate pleadings, reduce time for deposition, encourage settlement of disputes, and eliminate frivolous claims.

The processing time for cases is long (840 days on average for civil cases), **and there is an accumulation of unresolved cases**. In 2001, for example, there were 440,938 cases pending in the regions of Pichincha, Guayas, and Azuay. With 73 percent of unresolved cases, Ecuador has one of the poorest performances in the region (in Guatemala and Paraguay, only 24 percent of cases are not solved) (Institut Internacional de Governabilitat de Catalunya 2005).

Corruption in the justice system undermines its credibility and reduces its impartiality. Often bribes are accepted in exchange for favorable judicial sentences. On a scale of 1 to 7, with 1 representing pervasive bribe taking, Ecuador has an index of 2.5 (Institut Internacional de Governabilitat de Catalunya 2005).

Finally, past political interference in Ecuador's justice system has at times seriously undermined its independence. The index of judicial independence of the Global Competitiveness Report ranks Ecuador at 1.9 out of 7 (with 7 representing complete independence from government, citizen, or private sector influence, and 1 representing high levels of influence). This has been illustrated in the Congress' dissolution of all Supreme Court Justices in 2004 at the behest of then President Lucio Gutierrez as a means to annul the investigation into corruption of two former presidents.

Box 7 The Dissolution of the Supreme Court in 2004

On December 8, 2004, Ecuador's Congress dismissed and replaced the sitting Supreme Court Justices in a special session called by President Gutierrez.[82] This resulted in a public outcry, with civil society questioning the legitimacy of the new Court. Large street demonstrations, which included civil society groups and students, took place to demand a new "legitimate court." International criticism quickly followed. The UN Secretary General and Secretary General of the OAS sent special envoys, including a UN Special Rapporteur on Judicial Independence, to Quito to meet political leaders and to investigate the situation (OAS 2005).

In the weeks and months following the dismissal, Ecuador remained plagued by social unrest. On April 15, 2005, President Gutierrez issued an Executive Decree declaring a State of Emergency in Quito and limiting human rights.[83] That same day, the Supreme Court was dismissed again—this time by the Executive Branch—and the country was left without a Supreme Court for seven months. The ensuing public outcry eventually led to President Gutierrez's ouster when, on April 20, 2005, he was removed from office by Congress, and replaced by the vice president, the present President Palacios.

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82 The dismissal was done through Resolutions 25-181.
83 Ibid.

The inefficiency of the justice sector undermines its credibility in the eyes of citizens. Among Latin Americans, Ecuadorians are least likely to believe that the state enforces laws fairly.[84] A 2006 poll of citizen's trust in Ecuadorian institutions showed that trust in the justice system ranked well below (25 percent) trust in the Armed Forces (52 percent) or NGOs (43 percent) (Seligson et al. 2006).

Poor people's inaccessibility to the justice system compounds the overall lack of trust in judicial institutions. The majority of users are from the middle class, with relatively fewer lower-class litigants (World Bank 2002). Reasons for this include constraints on poor people's time, distance to courts, costs of legal fees, and a lack of understanding of accessing the complex formal legal system. Moreover, since Spanish is the language of all judicial proceedings, there is a language barrier for indigenous non-Spanish-speaking populations in addition to discrimination that may be based on gender, ethnicity, and class. Legal representation of the poor is established in the Constitution. However, in practice, existing public defenders are too few to respond to the demands (there are 0.3 public defenders for every 100,000 inhabitants, the lowest ratio in the region), and those that exist often lack adequate resources and technical capacity (Institut Internacional de Governabilitat de Catalunya 2005).

As a result of the weaknesses of the current judicial system, civil society has assumed some of the state's roles. CSOs play an important role in offering legal services to the poor,[85] promoting legal literacy to enhance citizen awareness of their rights and the law, and supporting the implementation of alternative dispute resolution mechanisms. However, while civil society's contributions in this area have been crucial, they cannot replace the responsibility of the state.

Despite these challenges, the state has made significant efforts in the past years to try to enhance the accountability, transparency, and effectiveness of the justice sector.

ProJusticia was created in 2004 to coordinate the activities in the sector, often in collaboration with civil society organizations.[86] *ProJusticia* and civil society reform efforts include the opening of 13 mediation centers and free legal clinics with over 140 lawyers.[87] *ProJusticia* has also designed indicators to measure management, performance, and capacity-building efforts of the justice sector.

After the ousting of President Gutierrez in 2005, the new government also initiated the process of electing new Supreme Court Judges. For the first time, the process was conducted as a public competition with careful review of the candidates' credentials, through a process open to public scrutiny. This effort was an important move to enhance the transparency and accountability of the justice sector.

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84 Ibid.

85 A study conducted in 2006 estimated that there are around 107 legal services centers run by CSOs in 22 provinces in Ecuador (Fundación Esquel 2006a).

86 *ProJusticia - Unidad de Coordinación para la Reforma de la Administración de la Justicia en el Ecuador* – (Coordinating Unit for the Reform of Justice Administration in Ecuador). Executive Decree No. 3029, published in the Supplemental Official Registry (el Suplemento del Registro Oficial) No. 772, September 1, 1995. Later modified by Executive Decree 199, Published in the Official Registry (el Registro Oficial) No. 38, April 7, 1997.

87 Through the Ecuador JSDF (TF No. 051227).

Box 8 The Process of Electing New Supreme Court Judges in 2005

Following President Gutierrez's ouster, Congress passed a bill reforming the Organic Law of the Judiciary *(Ley Orgánica de la Función Judicial)* and established a mechanism to select a new Supreme Court.[88] The law established a Selection Committee (*Comité de Calificación, Designación y Posesión de Magistrados y Conjueces de la Corte Suprema de Justicia*- Committee for the Evaluation, Appointment and Installing of Judges and Alternative Judges of the Supreme Court of Justice) to oversee the establishment of a new Supreme Court. The process and procedures were closely observed by the international community, including the United Nations, the European Union, the Andean Community of Nations, and the Organization of American States.

For the first time in Ecuador's history, candidates' credentials were reviewed in an open and public process. The process included a public "competition" *(concurso)*. The qualification and evaluation of the candidates were overseen by an auditing firm contracted by the Selection Committee. Time was set aside for candidates to challenge the results and request reconsideration of their applications. The judges that were ultimately chosen had the highest scores for these criteria; their scores were published on websites and in newspapers.

On November 30, 2005, the Selection Committee selected 31 new Supreme Court Justices. While the Selection Committee had agreed that 20 percent of the newly elected Justices were to be women (six female Justices), in actual fact only two were women.[89]

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88 *Ley Orgánica de la Función Judicial.*

89 The Ecuadorian Constitution recognizes the need for Affirmative Action to reach gender parity. This is also consistent with International Human Rights Conventions such as CEDAW (Convention for the Elimination of All Forms of Discrimination Against Women); thus the Selection Committee reached an agreement in September 2005, to establish a quota of 20 percent (or six) women judges. United Nations – 62nd Session of the Human Rights Commission: Informe de Seguimiento Presentado por El Relator Especial Sobre la Independencia de Magistrados y Abogados. See:
http://www.un.org.ec/info2006/InformeDespouy31012006.pdf.

PART SIX: CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusions

The study has sought to provide a better understanding of the role that civil society actors have played shaping the governance agenda in Ecuador to date and the diverse strategies that they use in this process. The study has also helped to shed light on the factors that facilitate this engagement and those that contribute to constrain it, including those that are internal to civil society and those that are part of the environment in which civil society operates.

The study confirms that Ecuadorian civil society has in the past years increased its capacity to engage in the governance arena, demanding accountability from the state, monitoring state actions, and promoting actions to influence public policies. The study has showcased the diversity of initiatives carried out by civil society to enhance governance, spanning different themes and sectors, and involving different levels of government.

The study demonstrates that some sectors of civil society, particularly some NGOs, have learned to process and analyze complex information that they use in an evidence-based approach to effect change. Civil society initiatives to analyze budgets and public expenditures as well as legislative and public procurement documentation testify to this. The increasing credibility of this sector to negotiate with the state is also seen in the influence they have had on key legislation affecting social accountability such as the Law of Transparency and Access to Information and the integration of demands for recognition of indigenous, women's, and citizen rights in the 1998 Constitution.

The study also confirms the increasing capacity of civil society to voice its demands to the state. This voice has often been expressed in the form of social mobilizations, which have been a recurrent characteristic of Ecuador's contemporary history. These have played an important role in channeling the discontent of the public and in influencing the change of government administrations: in 1997, 2000 and 2005, mobilizations culminated in the ousting of presidents. While illustrating an increased capacity for voice of civil society, these mobilizations also reflect the lack of constructive channels of dialogue and negotiation between the state and civil society, the lack of trust in traditional political institutions and the lack of receptiveness of the state to respond to peaceful civil demands.

While contributing to catalyze some important reforms, social mobilization in Ecuador has to date failed to fundamentally alter the governance system. Citizen trust in government institutions remains weak and perceptions of transparency of the public sector has decreased significantly in recent years. This may indicate a need to refashion existing forms of state-civil society interaction to ensure adequate channels for citizens to articulate demands and the state to respond to them. The process may also require that formal channels of political representation are made more responsive of citizen interests. **The process of the Constituent Assembly and the redrafting of a new Constitution may be steps in the right direction, if they culminate in establishing a more equitable, transparent, representative and participatory model of democracy.**

The study also shows that while social mobilizations have been an important channel for civil society voice, CSOs resort to a variety of different engagement strategies with the state and with other actors.

NGOs – particularly those working on social accountability – often engage in collaborative partnerships with the state, seeking to achieve change through an evidence-based dialogue. However, boundaries are not clear-cut as a significant number of NGOs also view mobilization as an important engagement strategy and often use it in addition to dialogue and negotiation. NGOs working on social accountability often rely on coalition building with other NGOs with common objectives, breaking the traditional pattern of NGO duplication and dispersion that is often triggered by competition for resources. Business and professional associations, on the other hand, have traditionally had close ties to the state and do not explicitly pursue reforms that enhance government accountability.

While the NGOs that have emerged in recent years focusing on governance issues often have strong technical capacity, earning them credibility in negotiating with the state, this increased capacity is generally concentrated in a few NGOs. Many CSO initiatives such as for example social auditing committees still struggle with weak technical capacity to effectively influence the state. Overdependence on external sources of funding, low levels of organizational maturity (as reflected in concentration of leadership) and an over-reliance on personal rather institutionalized relationships with key allies in the state and the media, contribute to hamper the effectiveness and sustainability of most NGOs, including those working on social accountability.

The **indigenous movement** has been an important player in the governance agenda in Ecuador, moving from mobilizations to incorporation into the formal political system. While the strategy may have debilitated the civil society movement by accentuating internal divisions, it has also revealed new options for institutionalizing social accountability practices, particularly at the local level. The participatory planning and budgeting experiences, often encouraged by indigenous mayors, are demonstrating alternative forms of democratic and public management practices, emphasizing citizen participation and voice in formulation and oversight of policies, programs, and services.

Women's organizations have often sought change through social mobilizations. However, the creation of CONAMU to represent their interests within the state apparatus has helped institutionalize their dialogue with the state and allowed them to support innovative social accountability mechanisms. Moreover, CONAMU's sustained effectiveness is largely explained by its ability to shield itself from political interference in a way that several other hybrid civil society-state institutions such as the CCCC or the Ombudsman have not managed in the same way. Going forward, it will be of critical importance to ensure the independence of these institutions (including CODENPE and CODAE) to maintain their credibility.

CSOs also differ in the socioeconomic groups that they represent. While indigenous organizations represent largely impoverished and socially marginalized groups, neighborhood associations often represent community interests; unions represent workers; and business and professional associations represent white-collar professionals and the business elite. Many NGOs working on social accountability have come to be identified with the middle class, often developing civic education

and information campaigns targeted to an educated citizenry, while leaving aside outreach to more vulnerable groups.

The study has also demonstrated that while the enabling environment for civil society engagement in social accountability activities has improved in recent years, a number of challenges continue to hamper their effectiveness.

While the legal framework for citizen participation and access to information has significantly improved in recent years – particularly with the approval of the Law of Transparency and Access to Public Information – a number of supply-side factors continue to pose challenges for effective civil society engagement. **The capacity of the public sector to generate and disseminate information to citizens remains insufficient, and a weak culture of transparency and accountability continues to plague the public sector.**

While a number of institutions have been created to facilitate and mediate state-civic interaction, weak technical capacity and high levels of political interference have eroded their credibility in the eyes of many civil society organizations. Further, civil society's internal conflicts and divisions have also undermined their effectiveness, which underscores the issue of legitimacy and representation, as CSO leaders are not democratically elected.

At the municipal level, some mayors have seized on the opportunities provided by the legal framework to implement processes of participatory budgeting and planning, which can serve as important models for democratic innovation. However, these initiatives have not yet been systematically documented, scaled up and institutionalized and therefore suffer from weak sustainability and dependence on the discretion of individual mayors for their survival.

Finally, the weakness of the judicial system and of horizontal control mechanisms constitute an important bottleneck for civil society-initiated control mechanisms, especially in the fight against corruption, as cases remain unsolved and impunity is widespread.

To build on the opportunities and address existing constraints, the study proposes a number of recommendations to strengthen both civil society capacity for social accountability as well as the enabling environment. These recommendations are addressed to civil society actors as well as the state:

To enhance the effectiveness of social accountability efforts, <u>civil society organizations</u> may:

- Enhance their governance and internal accountability systems;
- Strengthen their negotiation capacities, including their capacity to formulate policy recommendations and to engage with the Government in policy dialogue;
- More systematically monitor the government's anticorruption activities, preferably in conjunction with multiple stakeholders;
- Continue to track budget transparency on a regular basis and translate budgetary information to the wider public to enhance public awareness of these issues; and

- Expand monitoring and collaboration with the state to improve public sector systems and tools for citizen access to information, as well as public sector performance in the delivery of social services.

To continue improving the enabling environment for civil society engagement in social accountability activities, the <u>government</u> may:

- Continue increasing transparency and access to information by: i) raising awareness about the Law of Transparency and Access to Public Information among public officials; ii) enhancing public sector capacity to generate and disseminate information; iii) strengthening information systems and tools; iv) making information available to citizens on government programs, services, budgets, and equipping these with the information base needed for effective monitoring; and v) fully complying with the LOTAIP.
- Strengthening the capacity of public sector institutions to control, fight and adequately sanction corruption.
- Enhance the accountability of public sector agencies and programs at the national, regional and local levels by establishing accountability and transparency systems, and tools and processes for citizen participation.
- Institutionalize opportunities and mechanisms for civil society and citizen participation in budgeting processes at the local level. These mechanisms should respect the autonomy and independent voice of civil society and ensure timely access to public information for an informed participation.

A list of more detailed recommendations is provided in the following section.

6.2 Recommendations

6.2.1 To the Government

Transparency and Access to Information:	
Increasing transparency and public access to information by (i) raising awareness about the Law of Transparency and Access to Public Information among public officials; (ii) enhancing public sector capacity to generate and disseminate information; (iii) strengthening information systems and tools; (iv) making information available to citizens on government programs, services, budgets, and equipping these with the information base needed for effective monitoring; and (v) fully complying with the LOTAIP.	

Public Agency	Specific recommendations
CCCC	**1. Enhance the information systems and public outreach of the CCCC to increase the impact of its anticorruption programs:** 1.1. Create a database of *veedurías* on the web, with information on their location, members, focus, and findings. 1.2. Publish all the cases investigated by the CCCC, their status, and final outcomes for the web. 1.3. Publish the assets of public officials on the web (see example from Argentina www.cippec.org/espanol/transparencia/directorio)
Ombudsman *(Defensoría del Pueblo)*	**2. Enhance the technical and human resource capacity of the Ombudsman for effective implementation and monitoring of LOTAIP:** 2.1. Transfer resources approved by Congress (on an annual basis) to the Ombudsman for monitoring. 2.2. Staff the Ombudsman's National Directorate for Transparency and Access to Public Information *(Dirección Nacional de Transparencia y Acceso a la Información Pública)* with a strong technical team to monitor the implementation of LOTAIP. 2.3. Develop a comprehensive strategy and program to raise awareness about the LOTAIP, support public sector capacity building for implementation of the law, and monitor the level of compliance of public sector entities. 2.4. Provide training and capacity building to the technical team of the Ombudsman and to local Ombudsman offices on transparency and access to information in collaboration with CSOs specialized on these issues and involved in monitoring the LOTAIP. 2.5. Establish a collaborative partnership with CSOs that monitors LOTAIP to share information and coordinate monitoring activities. 2.6. Ensure close coordination with the CCCC to enhance both agencies' initiatives on transparency, access to information, anticorruption activities, and information sharing.

	2.7. Publish monitoring results on the web, ranking each public agency and its level of compliance with the LOTAIP. The public exposure may create a healthy competition between public agencies to comply with the LOTAIP. 2.8. Publish all requests and complaints related to access of information and their status and outcomes on the web to ensure the agency's full transparency in processing these. 2.9. Enhance citizen awareness of access to information rights by publishing billboards in the Ombudsman's national and local offices with information (in simple language and, when applicable, in indigenous languages) on citizen rights to obtain information and on the process to do so. 2.10. Enhance awareness among public officials of the value of social auditing and the LOTAIP through workshops that bring together different sectors, including civil society. 2.11. Provide public recognition for the public agency that has made the most outstanding efforts at transparency and information sharing through a well-publicized annual award ceremony, organized jointly with the CCCC and CSOs (see the example of the Annual Congress of Governmental Good Practices in Peru www.ciudadanosaldia.org /congresobpg).
The Judiciary	**3. Strengthen the Judiciary's role in ensuring the transparency of public agencies, including its own:** 3.1. Enforce penalties against public officials and agencies that do not comply with the LOTAIP. 3.2. Implement modern management tools to transition from a traditional written to an oral argument-based system to enhance the accountability and transparency of court and case management. 3.3. Enhance its own public information systems by publishing, on its web page, judicial decisions, compensation packages, performance indicators of judges, attendance records, and court dockets.
Ministry of Public Works	**4. Further enhance the transparency and information-sharing capacity of the Ministry of Public Works to reduce corruption:** 4.1. Publish on its website (and update every six months) all public works planned and underway, with information on tenders, contracts, firms, budgets, expenditures, management plans, audit reports, personnel, and timelines (for an international good-practice example, see the Bangladeshi government's websites on public works at www.mocbangladesh.org, www.rhdbangladesh.org, www.brtabangladesh.org).
Ministry of Finance	**5. Further enhance transparency and public access to information on budgets and public expenditures.** Before the full roll-out of SIGEF: 5.1. Publication on the Ministry's website of the following information: ▪ Amount of oil revenues and their allocations; ▪ Revenues and allocation of public funds such as FEP, CEREP, and *Fondo de Solidaridad*; ▪ Committed amounts and allocation of internal and external public debt;

	- Allocated amount and execution of all investment projects regardless of their sources of funding; - Transfers to regional and local governments; - Territorial allocation of central government spending; - Pre-assignments of central government revenues; - Allocated and actual public expenditures by sectors and locality. <u>After the full roll-out of SIGEF:</u> 5.2. Make information of SIGEF available on the web for full public disclosure in real time.

Anticorruption:

Strengthening the capacity of public sector institutions to control and fight corruption.

Public agency	Specific recommendations
CCCC	**6. Enhance the effectiveness of the CCCC in fighting corruption:** 6.1. Create a corruption hotline to receive complaints from citizens and investigate them (see example of Malaysia www.transparency.org.my). 6.2. Conduct lifestyle checks on government officials in agencies prone to corruption by verifying their statements of assets and liabilities followed up with visits to their offices and homes (see example of the Ombudsman and other anticorruption bodies in the Philippines). **7. Complete the roll-out of Contratanet, Ecuador's e-procurement portal, so that it provides full information to all citizens on public procurement to enhance transparency around public procurement processes and reduce opportunities for corruption:** 7.1. Consolidate Contratanet into a fully functional e-procurement system that registers transactions and steps of the public procurement process on a publicly available web portal; providing all the relevant information, including all public tenders, names of all bidding companies, winning bids, and contracts and their prices (see good-practice examples from Guatemala www.guatecompras.gt and Korea www.g2b.go.kr). 7.2. Transfer the management of Contratanet from CCCC to an agency within the executive after appropriate capacity-building and transfer mechanisms have been put in place. 7.3. Harmonize Contratanet with SIGEF so that both systems can communicate and feed information from each other. 7.4. Support the compulsory nature of Contratanet for all public purchases. 7.5. Encourage a discussion of the Law of Public Procurement among a diversity of stakeholders, including civil society. 7.6. Approval of the Law of Public Procurement so that it provides legal backing for the full roll-out of Contratanet.

Public Sector Accountability:
Enhance the accountability of public sector agencies and programs at the national, regional, and local levels by establishing accountability systems, tools, and processes for citizen participation and monitoring.

Public agency	Specific recommendations
Municipal governments	**8. Enhance the accountability and transparency of municipal governments**: 8.1. Revise the decentralization law to include implementation mechanisms of transparency, accountability, and citizen participation in planning, budgeting, and access to municipal information for all municipalities. 8.2. Implement accountability and transparency mechanisms in all municipal governments by systematically establishing municipal transparency websites, organizing yearly accountability meetings with local citizens to explain the municipal budget and its expenditures, and establishing grievance and redress systems on municipal services and performance.
Social programs (for example, *Alimentate Ecuador, Bono de Desarrollo Humano, Ley de Maternidad Gratuita*)	**9. Enhance the accountability and transparency of all social programs by establishing accountability mechanisms, promoting social auditing, and creating public information systems:** 9.1. Institutionalize social auditing mechanisms in all social programs, enabling users to monitor the quality and effectiveness of these, including tracking expenditures and inputs. 9.2. Create a grievance system for all major social programs, allowing users to voice complaints and receive a response within an adequate timeframe. The grievance system should allow users to address complaints both on the phone (through a grievance hotline), in person (through the *Defensoría* offices), or via e-mail or by post (for examples see the Kalahi-CIDSS in the Philippines http://itd.dswd.gov.ph/kalahi/grievance/index.html or the government of the State of Kerala in India www.kerala.gov.in/grievanceredressal/grevance.htm) 9.3. Publish information on the web: - Allocated budgets and executed expenditures for each social program by province, district, and facility; - Services offered and points of service delivery; - Criteria of eligibility. 9.4. Conduct annual accountability meetings for service users in which public officials respond to questions and present the expenditures and allocated budgets of each social program.
CCCC	10. Enhance the impact and effectiveness of CCCC's support of social auditing committees: 10.1. Conduct an evaluation of *veedurías* to assess their effectiveness and results to date, extracting lessons and recommendations on enhancing their impact.

Citizen participation:
Institutionalize opportunities and mechanisms for civil society and citizen participation in the budgeting processes.

Public agency	Specific recommendations
Central Government	**11. Ensure the independence of agencies with civil society representation, such as CODENPE, CODAE, CONAMU and CCCC and protect them from political interference.**
AME (*Asociación de Municipalidades Ecuatorianas –* Association of Ecuadorian Municipalities)	12. Document and extract lessons from participatory budgeting experiences around the country to replicate and expand the experiences. 12.1. Create a database with updated information on all municipalities that conduct participatory budgeting, specifying locality, time period, and amount of municipal budget subject to PB to publish on the AME website. 12.2. Document participatory budgeting experiences and assess lessons and impact to replicate the model to other municipalities. 12.3. Facilitate exchange of experiences in participatory budgeting between different municipalities, showcasing good-practice examples and sharing lessons.

6.2.2 To Civil Society Organizations

Issue	Recommendations
CSO governance	**13. Enhance governance and internal accountability systems of CSOs.** 13.1. Systematically subscribe to codes of conduct, employ external and independent evaluations, financial audits, and other measures to enhance transparency and access to information on organizational finances (including sources of funding) and programs. 13.2. Document good-practice examples of CSO systems of internal accountability, transparency, and access to information and make these accessible on the web. 13.3. Form a CSO-monitoring mechanism (*veeduría* of CSOs) to ensure CSO accountability and transparency.
CSO capacity building	**14. Strengthen the capacity of CSOs to negotiate with the state:** 14.1. Provide training to CSOs in lobbying.
Transparency and access to information	**15. Enhance the impact of CSO activities in government transparency and access to public information:** 15.1. Create a corruption database, compiling information on corruption cases from the news, the CCCC, and other public agencies; and track the progress (for an example of such a database, see Transparency International's experience in Bangladesh at www.ti-bangladesh.org).

	15.2. Conduct the budget transparency index on a regular basis (every two years) to track progress in budget transparency (www.internationalbudget.org/themes/BudTrans/LA03.htm#Ecuador).
	15.3. Collaborate with the state to improve public sector systems and tools for citizen access to information.
	15.4. Collaborate with the CCCC and the Ombudsman to organize an annual award ceremony for the public agency that has made the most outstanding efforts to enhance transparency and public information systems.
	15.5. Develop indicators to measure the level of accountability, transparency, and citizen participation in both the public sector and CSOs and track the progress.
	15.6. Establish a permanent independent civil society monitoring system of the implementation of LOTAIP (and ensure continued funding for it).
Oversight	**16. Continue providing independent civil society oversight of Government and public sector performance.**

Annex 1: In-Depth Interview Informants

Civil Society Informants:

Yolanda Kakabadese, *Fundación Futuro Latinoamericano*
Boris Cornejo, *Fundación Esquel*
Patricia Dávila, *Jubileo 2000*
Cesar Montúfar and Julio Echeverría, *Participación Ciudadana*
Carolina Reed and Margarita Velasco, *Observatorio de la Niñez*
Jaime Carrera and Lourdes Vallejo, *Observatorio de Política Fiscal*
Mónica Hernandez, *Fundación Alternativa – Banco Solidario*
Nila Velásquez, *Fundación El Universo*
Representatives from Youth Network against Corruption (*Red Jóvenes Anti Corrupción)*
Soledad Álvarez, *Ruptura Siglo XXI*
Acutir
SENDAS
CECCA

Government Informants:

Galo Chiriboga, Minister of Labor
Alexandra Pérez, CONAMU
Guillermo Landázuri, Deputee *Izquierda Democrática and ex-President of the Congress*
Luís Fernando Torres, Deputee *Partido Social Cristiano*
Claudio Mueckay, Ombudsman

Donor Informants:

María Dolores Almeida (GTZ)
Edison Mofla (GTZ)
Sofia Sternfeld (GTZ)
Víctor Aznar (AECI)
Roger Denzer (COSUDE)
Ximena Ponce (SNV)

Annex 2: Focus Groups

Focus groups with business representatives (Quito):

Roberto Aspiazu (Executive Director, Ecuadorian Business Council); Diego Borja (Executive Director, EXPOFLORES); Federico Cruz (Vice President, CONAVE); Patricio Maldonado (President, Chamber of Agriculture of the Second Zone); Mauricio Pinto (President of the Chamber of Industry of Pichincha).

Focus groups with media representatives (Quito):

Mónica Almeida (Regional Director, *El Universo,* Quito); Marcia Cevallos (Regional Director, *El Comercio,* Guayaquil); Karina López (Editor, *Vistazo* Magazine); Luis Dávila (Director, Latin American Radio Education, ALER); Orlando Pérez (Editorialist and Editor, *HOY* Journal); Raquel Escobar (Member of ALER and Coordinator of *Coalición Acceso* in implementation of the Law of Transparency and Public Information); Juan Carlos Calderón (Editor, *Expreso*, Quito); Martín Pallares (Political Editor, *El Comercio*); Felipe Toledo (Journalist, Communication Specialist, SENDAS, Cuenca).

Focus groups with NGOs (Quito):

Mario Cadena (FEPP), Paulina Romo (*Ruptura* 25), Mario Cadena (FEPP), Virgina Gomez (CEPAM), Francisco Rohn Davila (CAAP).

Focus groups with women's organizations (Guayaquil):

María del Carmen Morán (Coordinator, *Política de Mujeres*), Magaly Cucalón *(Rente Guayas),* Delfa Mantilla (Fredemet), Dalia Palomeque *(Programa del muchacho Trabajador),* Peggy Ricaurte *(Colectivo para Alternativas),* Patricia Dávila (*Jubileo 2000*), Carmen Triana *(Rente Guayas),* Diana Barrezueta (*Rente Guayas/Jubileo 2000*), *Annunziata Valdez (Fundación María Guare)*, Hanne Holst (CEPAM, Guayaquil), Patricia Bermúdez *(Fundación Hierva Buena),* María Rosa Anchudia (*Jubileo 2000/Rente Guayas*), Miryam Alcivar (CEPAM, Guayaquil), Marcela Blacio and Laura Luisa Cordero.

Focus groups with a variety of civil society actors (Cuenca):

Flavio Muñoz Larrea (Director, Small Chamber of Industry, Azuay), Luis Gómez (President, Urban Neighborhood Federation of Paute), Sandra Andino (CEDEF), Martha Maldonado (*Red de Mujeres del Azuay*), Iván Gonzáles (CECCA).

Annex 3: List of Organizations Surveyed

NGOs

ACCION ECOLOGICA MUJERES Y FAMILIA

ACUTIR

ASAMBLEA GENERAL POR LOS DERECHOS DE LOS JOVENES

ASOCIACION COORDINADORA DEL VOLUNTARIADO DEL GUAYAS ACORVOL

ASOCIACION CRISTIANA DE JOVENES (ACJ)

ASOCIACION DE MIGRANTES RUMIÑAHUI

ASOCIACION DE VOLUNTARIADO HOSPITALARIO – ASVOLH

AYLLU HUARMICUNA

CAMAREN

CECCA

CEDEMMA

CEDHU

CEDIME

CENAISE

CENTRO ANDINO DE ACCION POPULAR - CAAP

CENTRO DE DERECHOS ECONOMICOS Y SOCIALES

CENTRO ECUATORIANO DE DERECHO AMBIENTAL

CENTRO ECUATORIANO PARA LA PROMOCION Y ACCION DE LA MUJER CEPAM

CENTRO MANABITA DE DESARROLLO COMUNITARIO CEMADEC

CEPAR

CERES

CESA

CIUDAD

CLD

CLADEM – ECUADOR

COALICION ACCESO A LA INFORMACION PUBLICA

COMITE ECUMENICO DE PROYECTOS – CEP

COMITÉ PERMANENTE POR LOS DERECHOS DE LA MUJER

CONFEMEC

CONTRATO SOCIAL POR LA EDUCACION

COORDINADORA DE DEFENSA DEL ECOSISTEMA MANGLAR ECUADOR

COORDINADORA POLITICA DE MUJERES DEL ECUADOR

CORDES

CORPORACION DE ESTUDIOS REGIONALES - GUAYAQUIL

CORPORACION OIKOS

CORPORACION LA REDACCION

DEMOCRACIA, DEFENSA Y SEGURIDAD

DESARROLLO Y AUTOGESTION DYA

ESCUELA RADIOFONICA POPULARES DEL ECUADOR (ERPE)

FEPP

FORO AGROPECUARIO NACIONAL

FORO PARA LA NIÑEZ Y ADOLESCENCIA

FORO SI SE PUEDE (USAID)

FUNDACION ALGODONERA FUNALGODON

FUNDACION ALTERNATIVA

FUNDACION ARCO IRIS

FUNDACION CAMARA DE COMERCIO DE QUITO

FUNDACION ECUADOR

FUNDACION ESQUEL

FUNDACION FORO DE DESARROLLO INTEGRAL DE LA MUJER Y LA FAMILIA FODIMUF

FUNDACION FUTURO LATINOAMERICANO

FUNDACION LEONIDAS ORTEGA

FUNDACION MARIA GUARE

FUNDACION NATURA

FUNDACION RAICES

FUNDACION REGIONAL DE ASESORIA EN DERECHOS HUMANOS

FUNDACION LA SEGURIDAD IMPERIO DE LA LEY

FUNDACION EL UNIVERSO

FUNDECOL

FUSA

GRUPO FARO

ICCI

JUBILEO 2000

JUNTA DE BENEFICIENCIA DE GUAYAQUIL

JUNTA CIVICA DE GUAYAQUIL

MOVIMIENTO MI COMETA

OBSERVATORIO DE LA COOPERACION

OBSERVATORIO DE LA POLITICA FISCAL

OBSERVATORIO SOCIAL

PARTICIPACION CIUDADANA

PLATAFORMA DE ACUERDOS SOCIO–AMBIENTALES (PLASA)

RED FINANCIERA RURAL

SENDAS

SERPAJ

SERVICIO JESUITAS A MIGRANTES

TRIBUNA ECUATORIANA DEL CONSUMIDOR

UNIVERSIDAD TECNICA EMPRESARIAL DEL GUAYAS

UTOPIA

ETHNIC ORGANIZATIONS

AFROAMERICA SIGLO 21 ECUADOR
ASOCIACION DE COMUNIDADES NEGRAS DEL ECUADOR
CONAICE (Confederación de Nacionalidades Indígenas de la Costa)
CONAIE
CONFEDERACION NACIONAL AFROECUATORIANA
CONFENIAE
ECUARUNARI
FEDERACION DESARROLLO CAMPESINA AFRO IMBABURA
FEDERACION INTERPROVINCIAL SHUAR
FEDERACION DE ORGANIZACIONES Y GRUPOS NEGROS DE PICHINCHA
FEINE
FENOCIN
FICI
FUNDACION "FAMILIA AFRO"
OPIP
SECOYA

NEIGHBORHOOD FEDERATIONS

ASOCIACION LIGAS DEPORTIVAS BARRIALES DE PICHINCHA
COMITÉ BARRIAL PRODESARROLLO DE LA TOLA COLONIAL
CONFEDERACION DE BARRIOS DEL ECUADOR - CONBADE
FEDERACION DE BARRIOS DE CUENCA
FEDERACION DE BARRIOS DEL NOROCCIDENTE DE QUITO
FEDERACION DE BARRIOS DE PAUTE
FEDERACION CANTONAL DE BARRIOS DE GUAYAQUIL –FECABAG
FRENTE DE ORGANIZACIONES SOCIALES DEL GUAYAS

UNION FEDERATIONS

CEDOC – CLAT
CEDOCUT
CEDOCUT-FUT
CONFEDERACION DE TRABAJADORES DEL ECUADOR (CTE) (QUITO)
CONFEDERACION DE TRABAJADORES DEL ECUADOR (CTE) (GUYAQUIL)
CEOSL
FCDTP
FEDERACION PROVINCIAL DE TRABAJADORES DEL AZUAY
FEDERACION PROVINCIAL DE TRABAJADORES DEL GUAYAS (FPTG)
FEDERACION DE TRABAJADORES LIBRES DEL AZUAY

FEDERACION DE TRABAJADORES LIBRES DEL GUAYAS
FEDERACION DE TRABAJADORES DE PICHINCHA
FEDERACION REGIONAL CENTRO ORIENTE DE ORGANIZACIONES SINDICALES
FENACLE
FETRALPI

WOMEN'S ORGANIZATIONS

ASOCIACION DE MUJERES NELA MARTINEZ
ASOCIACION NACIONAL DE ESCRITORIAS CONTEMPORANEAS DEL ECUADOR
ASOCIACION PRODEFENSA DE LA MUJER
CONFEMEC
COORDINADORA JUVENIL POR LA EQUIDAD DE GENERO
COORDINADORA POLITICA DE MUJERES
COORDINADORA POLITICA DE MUJERES DEL AZUAY
FORO NACIONAL DE LA MUJER
FRENTE DE MUJERES PROGRESISTAS DEL GUASMO
MUJERES EN RED
MUJERES "NUEVA ESPERANZA"
RED LATINOAMERICANA DE MUJERES TRANSFORMANDO LA ECONOMIA (REMTE)

PROFESSIONAL ASSOCATIONS

COLEGIO DE ABOGADOS DE PICHINCHA
COLEGIO CONTADORES PUBLICOS DE PICHINCHA
COLEGIO DE INGENIEROS CIVILES DE PICHINCHA
COLEGIO DE INGENIEROS GEOLOGOS, DE MINAS, PETROLEO Y AMBIENTE DEL ECUADOR
FEDERACION MEDICA NACIONAL

BUSINESS ASSOCIATIONS

ASOCIACION DE PRODUCTORES DE CACAO FINO Y DE AROMA (APROCAFA)
CAMARA DE AGRICULTURA ZONA I
CAMARA DE AGRICULTURA ZONA III
CAMARA DE COMERCIO CUENCA
CAMARA DE COMERCIO DE GUAYAQUIL
CAMARA DE COMERCIO DE QUITO
CAMARA DE LA CONSTRUCCION DE GUAYAQUIL
CAMARA DE LA CONSTRUCCION DE QUITO
CAMARA DE INDUSTRIALES DE PICHINCHA
CAMARA DE INDUSTRIAS DE CUENCA
CAMARA DE INDUSTRIAS DE GUAYAQUIL
CAMARA NACIONAL DE MICROEMPRESAS
CAMARA DE LA PEQUEÑA INDUSTRIA DEL AZUAY
CAMARA DE LA PEQUENIA INDUSTRIA DEL GUAYAS
CAMARA DE LA PEQUEÑA INDUSTRIA DE PICHINCHA
COMITE EMPRESARIAL ECUATORIANO

FEDERACION NACIONAL DE CAMARAS DE
COMERCIO DEL ECUADOR

OTHER

ASOCIACION DE JUBILADOS Y PENSIONISTAS DEL
GUAYAS

Annex 4: Participants and Informants for Dissemination and Validation of Findings

1. 1st Dissemination and Validation exercise: May 2006

Workshop to Discuss First Draft of Study in May 2006	
Organization	**Name of Participant**
NGOs	
Alianza Equidad/ALDECOM (Acción Desarrollo Comunitario)	Mae Montaño
CAAP	Francisco Rohn
CLD	Luis Avila
Fundación Esquel	Cristina Puente
Grupo Faro	Maribel Almeida
Grupo Faro	Mary Cipollone
Observatorio de Política Fiscal	Erika Brito
Participación Ciudadana	Wendy Reyes
RIMISP	Manuel Chiriboga
Ruptura 25	Francisco Cevallos
Donors	
UNDP	Carmen Sanchez-Miranda
UNDP	Michael Rowland
USAID	Thomas Moore
Think Tanks	
FLACSO	Fernando García
Consultants	Santiago Perez

Individual Meetings with Government Representatives:	
Government Agency	**Name**
Secretaría Técnica del Frente Social (Technical Secretariat of Social Front)	Mauricio Leon
Ministry of Social Welfare	Elizabeth Flores

2. 2nd Dissemination and Validation Exercise: May 2007

Organization	Name of Participant
NGOs	
CARE	Fernando Martinez
CLD	Andrés Tobar
Fundación Esquel	Patricia Esquetini
Grupo Faro	Orazio Belletini
Observatorio de Política Fiscal	Jaime Carrera
Participación Ciudadana	José Valencia
RIMISP	Manuel Chiriboga
Donors	
GTZ	Maria Dolores Almeida
UNDP	Luca Renda
Government Agencies or Projects	
CCCC	Cecilia Gonzaga

Organization	Name of Participant
CCCC	Xavier Vizcaino
Projusticia	Gustavo Jalkh
SIGEF	Diego Rueda

Annex 5: Survey Questionnaire

1. PRELIMINARY INFORMATION

1.1. Date of Interview:
_____
_____

1.2. Interviewee:
_____
_____

1.3. Interviewer:
_____
_____

1.4. City of Interview:
_____
_____

2. ORGANIZATION CONTACT INFORMATION

2.1 Name of organization:
_____
_____

2.2 Date of creation:
_____
_____

2.3 Chief Executive:
_____
_____

2.4 Address:
_____
_____

2.5 Telephone/Fax:
_____
_____

2.6 E-mail:
_____
_____

2.7 Web page:
_____
_____

3. ORGANIZATIONAL PROFILE

3.1 Type of Organization:
___ Union
___ Ethnic
___ Women's
___ Corporation
Other _____

3.2 Does your organization have a legal status?
___ Yes
___ No

3.3 How was your organization created?

3.4 What are the priority thematic areas of your organization?
1.
_____
_____

2.
_____
_____

3.
_____
_____

3.5 Where does your organization operate geographically? (Select **all** that apply)
___ Community level
___ Single village
___ Villages within a rural community or province
___ Regionally
___ Nationwide
___ Internationally

3.6 Where are your organization's headquarters located?
City _____ Village
_____Province _____

3.7. Does your organization have local offices?
____Yes
____No (In this case, proceed to question 3.9)

3.8 If yes, where are they located?
City_____
　　　　　Village_____
　　　　　Province_____
City_____
　　　　　Village_____
　　　　　Province_____
City_____
　　　　　Village_____
　　　　　Province_____

3.9 How many professional staff members does your organization have?
Total 　　___
How many are men? ___
How many are women? ___
How many are Afro-Ecuadorians? ___
How many are indigenous? ___

4. FINANCIAL PROFILE

4.1 What is the average annual budget of your organization? (Last **three** years)
___Less than US$ 100,000
___Between US$ 100,000 - 300,000
___Between US$ 300,000 - 500,000
___Between US$ 500,000 - 1 million
___More than US$1 million

4.2 What are the main sources of funding for your organization (%)? (Percentages should add up to 100)
___% International
___% National
___% Own funds

4.3 Which of the following describes your organization's current funding situation?
___ Depends exclusively on international sources

____ The majority depends on international sources
____ The majority depends on national sources
____ There is a balance between international and national sources

4.4 If your organization depends heavily on one or two sources of funding, is it seeking to diversify its funding base?
Yes_____ No_____ (In this case, proceed to question 4.7)

4.5 If yes, how is the organization diversifying?
_____ Negotiating new international funds
_____ Negotiating new national funds
_____ Fundraising
_____ Generating own funds (In this case, proceed to question 4.6)

4.6 How is the organization generating its own funds?

4.7 To what extent do external funding sources determine your organization's programming priorities? (Select only **one**)
_____ They have a significant influence on the decisions
_____ They have an influence, but it is not significant
_____ Programming is defined through consensus between both parties
_____ They do not have any influence

4.8 Is your organization's current level of funding sufficient to carry out its mandate appropriately?
Yes ____ No ____

---

5. ORGANIZATIONAL GOVERNANCE

5.1 How many members does your organization have?
_____ No. of organizations
_____ No. of individuals

5.2 Does your organization have a board of directors?
Yes ____ No ____ (In this case, proceed to question 6.1)

5.3 What is the name of the board?

5. 4 How many members are on the board?
_____

5.5 How often does the board meet?
_____

5.6 Board members generally rotate in periods:
____Less than 2 years
____Between 2 to 5 years
____Greater than 5 years

5.7 What are the functions of the board? (Identify the top **three** functions)

5.8 Which sectors do board members represent (%)? (Percentages should add up to 100)
____ Private sector
____ Public sector
____ Political parties
____ Civil society
____ Celebrities
____ Academics

____ Independent individuals
____ Media

---

6. ORGANIZATIONAL CAPACITY

6.1 Does your organization possess the necessary human resources to adequately carry out its mandate?
Yes ____ No ____

6.2 At your organization, does the staff have access to training and capacity-building opportunities to enhance its skills?
Yes ____ No ____ (In this case, proceed to question 6.4)

6.3 If yes, what kind? (Check **all** that apply)
____ Professional development courses
____ Academic courses
____ Professional exchange programs
____ Internships
Others:
_____
_____

6.4 How dependent is your organization on its leader or founder to pursue its objectives? (Select only **one**)
____Very dependent
____Frequently dependent
____Occasionally dependent
____Only in some circumstances
____Not dependent
Other:
_____
_____

6.5 What are the main internal challenges your organization faces in pursuing its objectives? (Select **all** that apply)
____ Lack of financial resources
____ Lack of available technology
____ Lack of qualified personnel
____ Lack of long-term planning
____ Lack of monitoring and evaluation capacity
____ Lack of physical infrastructure and commitment
Other_____
_____

---

7. ORGANIZATIONAL TRANSPARENCY AND ACCOUNTABILITY

7.1 Does your organization subscribe to an approved code of conduct?
Yes ____ No ____ (In this case, proceed to question 7.5)

7.2 If yes, through which mechanisms was it approved?

7.3 Is there awareness of this code within your organization?
Yes ____ No ____

7.4 If yes, how do you monitor compliance with the code of conduct?

7.5 Does your organization subscribe to a monitoring and evaluation system?
Yes ____ No ____ (In this case, go to question 7.8)

7.6 If yes, are the beneficiaries of your project or organization involved in the system?
Yes ___ No ___ (In this case, go to question 7.8)

7.7 How are they involved? (Select **all** that apply)
___ Periodic meetings
___ Surveys
___ Other
_____
_____

7.8 If you do not subscribe to a monitoring system, is there some form of internal evaluation?
Yes ___ No ___ (In this case, go to question 7.10)

7.9 If yes, describe the components of the internal evaluation system?

7.10 Does your organization have external and independent evaluations?
Yes ___ No ___ (In this case, proceed to question 7.12)

7.11 If yes, these evaluations are: (Select only **one**)
___ Periodic and conducted throughout the institution
___ Seasonal and take place after programming or planning
___ Timely and focused
___ At the request of the donor
Other:
_____
_____

7.12 Does an external individual auditing firm audit your organization's books annually?
Yes ___ No ___

7.13 Does your organization make the following information publicly available?
Finance   Yes ___ No ___
Objectives and programs   Yes ___   No ___
Projects   Yes ___ No ___
Campaigns   Yes ___ No ___
(If you answer no to all, continue to question 8.1)

7.14 If yes, how? (Select **all** that apply)
___ Web page
___ Printed bulletins
___ Electronic bulletins
___ Virtual forums and conferences
___ Books
___ Newsletters or brochures
___ Cultural events
___ Videos
___ Media publications
Other_____

7.15 Of these dissemination strategies, which have been the most effective? (Select **three** in order of priority)

7.16 How often do you make information public? (Select only **one**)
___ Every 4 months
___ Every 6 months
___ Once a year

Other:
_____
—

7. 17 Which audience(s) does the information target?

8. THE ORGANIZATION AND PUBLIC POLICIES

8.1 ACTIVITIES INVOLVING PUBLIC POLICIES

8.1.1 Does your organization undertake public policy initiatives?
Yes ___ No ___ (In this case, proceed to question 8.2)

8.1.2 What level of priority does your organization give to these activities?
___ High
___ Medium
___ Low

8.1.3 Is your organization working on any of the following public policy issues? (Select **all** that apply)
___ Budget and public expenditure (Go to 8.1.4)
___ Institutional reform
___ Legal and regulatory frameworks
___ Public policies in general
___ Education
___ Health
___ Social protection
___ Decentralization
___ Natural resource conservation and management
___ Public services
        Specify_____
_____

Other:
_____
_____

8.1.4 If your organization works on budgets, what is its specific focus? (Select **all** that apply)
___ Budget formulation (national or local level)

___ Budget analysis
___ Fiscal literacy to public
___ Public expenditure monitoring (national or local level)
___ Revenue monitoring
___ Quality of spending
___ Debt
___ Public debt
Others:
_____
_____

8.1.5 What were the influences on your organization in selecting the priorities above? (Select **all** that apply)
___ Government
___ International donors (bilateral and multilateral)
___ International NGOs
___ Professional associations

___ Political parties
___ Media
___ General public
___ Own decision
Other:
_____
_____

8.1.6 Which changes is your organization trying to bring about? (Select **all** that apply)
___ Increase transparency and access to information
___ Reduce corruption
___ Improve equitable spending
___ Reduce poverty
___ Improve the quality of public services
___ Change the legal framework
___ Enhance citizen participation in the policy-making process
___ Modernize the state
___ Include disadvantaged groups
    ___ Indigenous groups
    ___ Afro-Ecuadorian
    ___ Women
    ___ Youth
    ___ Disabled
Others:
_____
_____

8.1.7 How would you evaluate the impact your organization has achieved affecting change?
___Very important
___Somewhat important
___ Not very important
___ Not at all important
8.1.7 Name the three most important changes achieved:
8.1.8 Are there obstacles put forth by public institutions and the government that your organization must face to achieve its mission?
Yes___   No ___
8.1.9 Which strategies does your organization use to influence public policies? (Select **all** that apply)
___ Lobbying
___ Dialogue and negotiation
___ Mobilization
___ Social auditing *(veedurías)*
___ Civic education
___ Information campaigns
___ Influence public opinion through the media
___ Alliances with other CSOs
___ Lawsuits
Others:
_____
_____

8.1.10 Of those mentioned above, select the three most effective strategies:
8.1.11 Other than the government, does your organization use these strategies in alliances with other social actors?
 Yes ___No ___ (In this case, proceed to 8.2)
8.1.12 If yes, who are the social actors? (Select **all** that apply)
___ NGOs

___ CSOs
___ Individual social leaders
___ Media
___ Private sector
___ Donors
8.1.12.a Is advancing government accountability toward civil society one of the goals of your organization?
Yes ___
No ___ (In this case, proceed to 8.1.12c)
8.1.12.b How important is this goal in comparison with other objectives?
___Most important
___Among the most important
___Among the least important
___Least important
8.1.12.c Have your organization's activities prompted the government to be more accountable?
No ___
Yes___

Example_____
_____

8.2 RELATIONSHIP WITH PUBLIC ORGANISMS

CENTRAL GOVERNMENT
8.2.1 Does your organization engage with national public, or central government institutions?
Yes ___ No ___ (In this case, proceed to 8.2.10)
8.2.2 If yes, which central government agencies or institutions does your organization engage with most? (Select **all** that apply)
    ___ Ministry of Finance
    ___ Sectoral ministries (specify)
    ___ Ministry of Welfare *(Banister Social)*
    ___ Ministry of Health
    ___ Ministry of Education
    ___ Ministry of Agriculture
Others:
_____
_____

    ___ Judiciary
    ___ Congress
    ___ Central Government/Presidency
    ___ *Procuraduría*
    ___ Control organs (specify)
    ___ Superintendent
    ___ Attorney General's Office *(Fiscalía)*
    ___ Ministry of Finance *(Contraloría)*
    ___ Civic Commission for the Control of Corruption
Others:
_____
_____

8.2.3 What form does the interaction take? (Select **all** that apply)
___ Partnership agreements
___ Government contracts

___ Personal contacts
___ Informal interactions
___ Public influence
___ Media
Others:
_____
_____

8.2.4 Are these institutions generally receptive to your organization's work?
Very receptive ___
Somewhat receptive ___
Barely receptive ___
Not receptive at all ___
8.2.5 Which institution has been the most receptive?
8.2.6 Why? (Select **all** that apply)
___ Pressure from national public
___ Pressure from international public
___ Pressure from international governments and organizations
___ Influence of media
___ Shared objectives
___ Personal relations and contacts
___ Reputation of the organization
Others
_____
_____

8.2.7 Which institution has been the least receptive?
Why?
8.2.8 In which cases do you think government intervention is justified in your organization's work?
8.2.9 In which cases do you think government intervention is NOT justified in your organization's work?
LOCAL GOVERNMENT
8. 2.10 Does your organization engage with local governments?
Yes ___ No ___ (In this case, proceed to 8.3.1)
8.2.11 If yes, check all that apply:
Municipalities___ Regional councils___
          Church groups ___
8. 2.12 If yes, on which issues? (Select **all** that apply)
___ Budget and public expenditure
___ Judicial and regulatory frameworks
___ Public policies on local development
___ Education
___ Health
___ Social protection and security
___ Decentralization
___ Development of human resources for public administration
___ Management of natural resources
___ Administration of public resources
          Specify_____
_____
Others_____
_____
8. 2.13 What form does the interaction take? (Select **all** that apply)
___ Formal spaces of interactions
___ Partnership agreements
___ Contracts
___ Personal contacts

___ Informal interaction
___ Public pressure
___Through NGOs
___Through NGO networks
___ Private sector
Other:
_____
_____

8. 2.14 Are these institutions generally receptive to your organization's work?
Yes ___ No ___

8.3 ACCESS TO PUBLIC INFORMATION

8.3.0   For your organization to accomplish its mission, how important is it to obtain information from public institutions?
• Crucial— without this information we cannot accomplish our objectives
• Important—it helps us improve the quality of our work
• Not very important
• Not important
8.3.1 What type of information does your organization need from public institutions to pursue its work? (Select **all** that apply)
___ Information on public procurement
___ Information on government programs
___ Budget
___ Public expenditure
___ Policies
___ Laws and regulations
___ Public debt
___ Macroeconomic policies
___ Monitoring of public works
___ Monitoring of public services delivery
Others:
_____
_____

8.3.2a Does your organization generally get the information it requests from public institutions to carry out its work? (Select only **one**)
___ Often
___ Sometimes
___ Rarely
___ Never
8.3.2b Does your organization generally get the information it needs from public institutions to carry out its work? (Select only **one**)
___ Often
___ Sometimes
___ Rarely
___ Never
8.3.3 The information your organization receives is: (Select **all** that apply)
___ Sufficient
___ Timely
___ Reliable
___ Understandable
___ Irrelevant
___ Insufficient

Other
_____
_____

8.3.4 What are the main obstacles to obtaining the information? (Select **all** that apply)
____ Lack of legal mechanisms that facilitate access to public information
____ Lack of dissemination mechanisms
____ Lack of motivation of public officials to provide information
____ Lack of awareness among public officials of their duty to provide public information

____ Lack of convention among public officials to provide information
____ Fear of the use of the information against the informant
____ Cost of accessing the information
Others:
_____
_____

8.3.5 Are some institutions better at providing public information than others?
Yes ____ No, they are all the same ____ (In this case, proceed to 8.3.7
8. 3.6 If yes, which ones?
8.3.7 How does your organization usually obtain information? (Select **all** that apply)
____ the web
____ the media
____ Direct request to public officials
____ Court order
____ Public reports
____ Archives
Others:

_____
_____

8.3.8 Which methodologies does your organization use to advance its work in social accountability and audits? (Select **all** that apply)
____ Citizen report cards
____ Independent budget analysis
____ Polls and surveys
____ Independent administrative analysis
____ Citizens assembly
____ Indicators and information systems
Others:

_____
_____

8.4 Perceptions on Transparency and Social Accountability of the Public Sector

8.4.1 Public institutions are largely transparent and accountable in Ecuador
____ Agree
____ Disagree
____Do not have an opinion
____Do not know
8.4.2 Which public agencies are the least transparent? (Identify three in order of importance)
8.4.3 Which factors explain the lack of accountability and transparency of certain

institutions in the public sector? (Select **all** that apply)
____Turnover of public officials
____ Lack of institutional incentives
____ Lack of a legal framework that promotes transparency and accountability
____ Lack of capacity in public institutions
____ Political instability
Others:

_____
_____

8.4.4 Which public agencies are the most transparent? (Identify three in order of importance)
8.4.5 Are local governments more transparent and accountable?
____Generally
____Sometimes
____Not necessarily
____Do not know
____Do not have an opinion
8.4.6 In the last few years, have public institutions become more receptive to social accountability and transparency?
Yes____ No ____ (In this case, proceed to.9.1)
8.4.7 If yes, please describe:

9. RELATIONSHIP WITH THE MEDIA

9.1 How often does the media pay attention to the organization's activities, initiatives, and demands?
____ Frequently
____ Sporadically
____ Never
9.2 Does your organization have a media strategy?
Yes ____ No ____
9.3 Which aspects of your organization's work do you wish to publicize in the media?
9.4 Which type of media does your organization interact with to pursue its objectives? (Select all that apply)
TV: regional____ national ____international ____
Radio: regional ____national ____ international ____
Press: regional ____ national ____ international ____
Electronic media _____
9.5 Which type of media does your organization interact with the most?
9.6 Why does your organization prefer this type of media? (Select **all** that apply)
____ Greater coverage
____ Quality of the information

____ Proximity
____ Personal relations
____Target audience
Other
_____
_____
9.7 Does your organization generally have to pay to get coverage in the media?
____ Always
____ Sometimes

___ Never
9.8 When does it have to pay? (Select **all** that apply)
___ Institutional information
___ Public campaigns
___ Convocations
___ Promotion of services or publications
Others:
_____
_____

9.9 What are the main media instruments that your organization uses to promote its mission? (Select all that apply)
___ Press conferences
___ Press bulletins
___ Radio programs
___ Paid advertisements
___ Personal contacts
Others:
_____
_____

9.10 Is there a media-relations specialist on the staff of your organization?
___ Yes, permanently
___ Yes, occasionally (consultant)
___ No
9.11 Does your organization have staff specifically dedicated to interacting with the media?
___ Yes, permanently
___ Yes, occasionally (consultant)
___ No
9.12 Who in your organization interacts most with the media? (Select **all** that apply)
___ Chief Executive
___ Technical specialists
___ Media-relations person
___ Board members
9.12 Do the media in Ecuador adequately cover issues of transparency and accountability of the public sector?
Yes ___ No ___

10. RELATION WITH DIVERSE ACTORS

10.1 Relationship with other Civil Society Organizations

10.1.1 Does your organization interact frequently with other civil society organizations?
Yes ___ No ___ (In this case, proceed to 10.1.10)
10.1.2 If yes, what form does this interaction take? (Select **all** that apply)
___ Participation in CSO networks
___ Formal alliances or partnerships with other CSOs
___ Roundtable on specific issues
___ Informal collaboration
___ Working together on campaigns
Others:
_____
_____

10.1.3 Which of the above forms of interaction are most effective in pursuing your organization's objectives?
10.1.4 What are the benefits of collaborating with other civil society organizations? (Select **all** that apply)
___ Enhanced leverage
___ Enhanced learning and knowledge sharing
___ Greater coverage
___ Better coordination
Others:
_____
_____

10.1.5 If your organization belongs to a network(s), provide all names?
10.1.6 Do these networks help your organization to promote its programs?
Yes ___ No ___
10.1.7 Do you believe these networks adequately represent your organization?
Yes ___ No ___
10. 1.8 Why?
10.1.9 If your organization belongs to a roundtable, which issues does the roundtable pursue?
10.1.10 How often does your organization interact with other local or regional organizations?
___ Permanently
___ Regularly
___ Occasionally
___ Does not interact with other organizations
(In this case, proceed to 10.1.13)
10.1. 11 Your organization interacts more with: (Select **all** that apply)
___ Organizations within the same region
___ Organizations in other regions
___ National organizations
___ International organizations
___ All of the above (there is no difference)
10.1. 12 If your organization has less interaction with organizations from other regions, select all the reasons that apply:
___ Communication difficulties
___ Different perspectives or cultural and social characteristics
___ Different organizational strategies
___ Low receptivity to external initiatives
Other:
_____
_____

10.1.13 What are the greatest difficulties in collaborating with other civil society organizations? (Select **all** that apply)
___ Competition for resources
___ Difference in strategies and objectives
   Other_____
   _____

10.2 Relationship with the Private Sector

10.2.1 Does your organization engage with the private sector?
Yes ___ No ___ (In this case, proceed to 10.3.1)

10.2.2 If yes, on which issues? (Select **all** that apply)
___ Transparency and access to information
___ Policies
___ Budgets and public expenditures
___ Public service delivery
Others:
_____
_____

10.2.3 What form does the interaction take? (Select **all** that apply)
___ Formal spaces of interactions
___ Partnership agreements
___ Contracts
___ Personal contacts
___ Informal interactions
Others:
_____
_____

10.2.4 Are these institutions receptive to your organization's work? (Select only **one**)
___ Frequently
___ Occasionally
___ Rarely
___ Never

┌───┐
│ **10.3 Relationship with International** │
│ **Development Cooperation** │
└───┘

10.3.1 Does your organization interact with OCDI?
Yes _____   No ___ (In this case, proceed to 10.4.1)
10.3.2 If yes, on which issues? (Select **all** that apply)
___ Projects financed by the OCDI
___ Transparency and access to public information
___ Public policies
___ Budget and public expenditures
___ Public service delivery
___ Event programming
Others:
_____
_____

10.3.3 What form does the interaction take? (Select **all** that apply)
___ Partnership agreements
___ Contracts
___ Personal contacts
___ Informal interaction
Others:
_____
_____

10.3.4 Are donor institutions receptive to your organization's work? (Select only **one**)
___ Frequently
___ Occasionally
___ Rarely
___ Never

┌───┐
│ **10.4 Relationship with the World Bank** │
└───┘

10.4.1 How often does your organization engage with the World Bank?
___ Frequently
___ Occasionally
___ Never
10.4.2 What is the nature of the interaction? (Select **all** that apply)
___ Projects financed by the World Bank
___ Donor meetings
___ Public policy dialogues
Other:
_____
_____

10.4.3 Has the World Bank been receptive to your organization's work? (Select only **one**)
___ Frequently
___ Occasionally
___ Rarely
___ Never

Annex 6: Mapping of Social Accountability Initiatives in Ecuador

Social Accountability Area	Initiative and Focus	Organizations Involved	Period
Budget literacy	Publishes monthly bulletins and education brochures on macroeconomic issues and fiscal policies to enhance citizen understanding of issues such as the linkage between revenues and expenditures, the fiscal deficit, and the impact of oil revenues on the economy.	*Observatorio de Politica Fiscal*	Current
	The *Lupa Fiscal* newsletter analyzes issues linked to public budgets and expenditures. *Lupa Fiscal* has produced five issues analyzing the 2006 national budget, the compliance of various ministries to LOTAIP, participatory budgeting, local governance, and the implementation of the 2005 national budget.	*Grupo Faro*	Current
	Produces brochures in accessible language to explain issues of public debt to citizens.	*Jubileo 2000*	1999-ongoing
Dialogue on the national budget	OPF also organizes dialogues on the national budget to foster understanding and debate between CSOs and the government. Because the World Bank prioritizes transparency and citizen participation in the budget process in Ecuador, it requested such a dialogue prior to the disbursement of the policy-based loan, Fiscal Consolidation and Competitive Growth Loan II.	*Observatorio de Política Fiscal*	2004-ongoing
Monitoring public expenditures	Monitors public debt.	*Jubileo 2000*	1999-ongoing
	Monitors public expenditures at the national level.	*Observatorio de Política Fiscal*	2006
Transparency and access to public information	Lobbied for approval of the Law of Transparency and Access to Public Information.	*Coalición Acceso a la Información Pública*	2002-04
	Conducts training workshops for public officials and CSOs to raise awareness of the Law.	*Coalición Acceso a la Información Pública*	Current
	Monitors the implementation of the Law of Transparency and Access to Public Information.	*Coalición Acceso a la Información Pública*	Current
	Ranks (monthly) municipalities' and provincial councils' compliance with LOTAIP; supported by an agreement signed by AME *(Asociación de Municipalidades del Ecuador)* and CONCOPE *(Consorcio de Consejos Provinciales del Ecuador).*	*Coalición Acceso a la Información Pública*	Due to start
	In 2005, *Grupo Faro* and a coalition of 16 other CSOs *(Coalición de Control Social)* signed a collaboration agreement with the Ministry of Finance, "Making the State More Transparent for Civil Society" to enhance transparency on public expenditures. Through the agreement, the Ministry committed to provide CSOs with requested information on the yearly budget, its projected allocations, as well as periodic expenditure reports.	*Coalición de Control Social*	Current
	Since 2005 CLD leads an exercise to monitor compliance with the Law on Transparency and Access to Public Information. CLD published the results of three consecutive phases of the monitoring in their newsletter, *Viviendo la*	CLD	2005-06

Social Accountability Area	Initiative and Focus	Organizations Involved	Period
	Democracia.		
	"Promoviendo la Implementación del Principio 10 en el Ecuador" – promotes access to information and citizen participation on environmental issues.	*Centro Ecuatoriano de Derecho Ambiental*	2005-ongoing
	Ciudadaniainformada.org– a website that provides electoral information to citizens.	*Participación Ciudadana*	2003-ongoing
	Publishes and disseminates *Ecuador Debate,* a magazine on clientelism, social accountability, and democracy.	*Centro Andino de Acción Popular*	1990-ongoing
	Airs *"Informativo Voces,"* a radio program that disseminates information about participatory budgeting in Chimborazo.	*CENAISE*	1962-ongoing
Civil society and laws	Proposed reforms to the Law of Electoral Spending.	*Participación Ciudadana*	2003
	The NGO, CLD has advocated for the approval of 14 laws, including the Public Procurement Law, the Transparency and Access to Public Information Law, among others.[90]	CLD	2005–ongoing
	Lobbies for the approval of a law on social control.	*Coalición de Control Social*	
	Lobbies for the approval of a law on protection of personal information.	*Coalición Acceso a la Información Pública*	
	Monitors electoral spending.	*Participación Ciudadana*	2003-ongoing
	Proposes changes to law of reallocation of debt resources (succeeded).	*Jubileo 2000*	1999-ongoing
	Monitors respect for the rights of indigenous peoples in elections.	*Fundación QUELLKAJ*	
	Reform of the penal code.	*Observatorio Social*	2003-ongoing
	Translated electoral information in Quechua and Shuare.	*Fundación QUELLKAJ*	
	Monitors implementation of the Consumer Law.	*Tribuna Ecuatoriana del Consumidor*	2003-ongoing
	Rescate Cultural en Muisne– convened an assembly to pass 22 articles of the Law on the Conservation of the Manglar Eco-system.	FUNDECOL	2001-ongoing
Monitoring public policies			
	Promotes political dialogue and participatory policy making. Past efforts have focused on improving environmental management, specifically in the area of deforestation. In 2002 it organized a "Political Dialogue" on deforestation, which led to a four-year agreement.	*Fundación Futuro Latinoamericano*	ongoing
	Created *"Agendas Locales"* – to include youth in direct participatory planning of public policies of local governments (in northern and southern Ecuador, e.g., Esmeralda and Pichincha).	*Asamblea Ecuatoriana por los Derechos de los Jóvenes*	2002-11

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90 The other law is the Code of Penal Proceeding (Codigo de Procedimiento Penal).

Social Accountability Area	Initiative and Focus	Organizations Involved	Period
Civil society and the Justice Sector	CLD will start with the Justice Network, a social auditing committee, to monitor the election of the new National Fiscal of the Judicature.	CLD	Future
	Created a justice observatory, "National Observatory." Formulating a justice index in Ecuador to provide information on the progress and main challenges of judicial reform in Ecuador and to evaluate the justice sector. Justice observatories have been created at the local level for civil society to monitor the justice system and generate public debate on judicial reform.	*Fundación Esquel*	2004-07
	Presented to the president the Law on National Public Defense, aimed at improving citizen's access to the penal justice system.	*Fundación Esquel*	2004-07
	The Society and Justice Fund promoted implementation of a system to evaluate judges based on a series of qualitative and quantitative benchmarks.	*Fundación Esquel*	2004-07
	A network of 46 organizations created a *veeduria* to monitor the nomination of judges to the Supreme Court.	Justice Network *(Red de Justicia)*	2004-07
Procurement oversight	CLD has played an important role in monitoring public procurement contracts through so-called integrity pacts. In these, CLD representatives are invited to participate in the committees' processing public contracts. They observe the bidding process to ensure its transparency and can denounce irregularities if these occur. CLD has overseen over eight public contracts for an amount of approximately US$1.5 million.	CLD	Current
	In 2000, CLD also created a website, *Licitenet*, which published all bids of public contracts.	CLD	2000
Monitoring public works			
	Observatorio de Políticas Públicas monitors public works, including the procurement process and the quality of the work.	*Red Cántaro* coordinated by SENDAS	2004-ongoing
	Conducts participatory planning and monitors implementation of public works.	Cabildos Metropolitanos	2001-ongoing
Monitoring the quality of public services			
	Piloted citizen report cards of one program in health, social protection, and education (supported by the World Bank through two trust funds and a conditionality of the Development Policy Loan).	*Fundación Esquel*	2005-06
	SEMOISA (mixed-economy company for environmental clean-up) monitored implementation of a water project in municipalities of Daule, Santa Lucía, and Palestina.	*Corporación de Estudios Regionales*	2002-06
	Improve quality of national health and education through participatory planning, monitoring, and budgeting.	DYA – *Desarrollo y Autogestión*	1988-ongoing

Social Accountability Area	Initiative and Focus	Organizations Involved	Period
Veedurias	*Veedurias Ciudadanas* (citizen oversight committee) for electoral processes in Santo Domingo and Porto Viejo. Promotes civic education in urban areas and capacity building of professionals to reduce corruption.	*Asociación Cristiana de Jovenes*	2003-ongoing
	Veeduría on water management (Cotopaxi and Chimborazo).	CAMAREN	2000-ongoing
	Veeduria on child labor – national committee on progressive eradication of child labor.	CEDOCUT	
	Veeduria on law of quotas.	*Coordinadora Política de Mujeres*	
	Veeduria on candidates' work plans.	*Coordinadora Política de Mujeres*	
	Veeduria of FODI (Fund for Childhood Development) monitors environmental norms and effects on consumers.	FODIMUF – *Fundación Foro de Desarrollo Integral de la Mujer y la Familia*	2005-08
	Establishment of *veedurías* in partnership with CCCC (Antonio Ante, Ibarra, Montufar, and Tulcán).	CARE – Ecuador	2004-06
	Veeduría on forest control in Esmeralda.	CEDENMA	2006
Observatories	**Observatorio de la Cooperacion**	*Comité Ecuménico de Proyectos* (in partnership with *Asociación Cristiana de Jóvenes*)	2003-ongoing
	External Debt Observatory	OPF (in partnership with SENDAS and CEDOCUT)	2004-ongoing
	Public Policy Observatory monitors public contracts and public works in Cuenca and Azuay.	SENDAS	1994-ongoing
	Monitors elections and electoral spending.	*Participación Ciudadana*	2003-ongoing
	Monitors spending on publicity in Quito and Guayaquil.	*Participación Ciudadana*	2005-ongoing
	Observatorio Ciudadano al Congreso monitors the work of the Congress, providing information on the work of budgetary committees and law proposals (observatoriocongreso.org).	*Participación Ciudadana*	2003-ongoing
	Observatory on the rights of youth and children *(Observatorio de los Derechos de la Niñez y la Adolescenia)* - index of children rights - monitors *"Codigo de la Niñez"*	*Observatorio Social del Ecuador- Habitus* with 21 other CSOs supported by UNICEF	2003-ongoing
	Observatory on Education		
	Anticorruption commission in Azuay that hears citizen complaints on fraud cases.	*Federación de Barrios de Paute*	
	Observatorio Juvenil monitors rights of youth and government spending on youth issues; and publishes and disseminates bulletins.	SERPAJ	2001-ongoing
	Observatory on Public Services	*Movimiento Mi Cometa*	2005-ongoing

Annex 7: Mapping of NGOs Working on Social Accountability in Ecuador

NGOs Specialized in Social Accountability	
NGO	**Organizational Profile and Social Accountability Programs**
Coalición de Organizaciones Civiles por el Acceso a la Información Publica en el Ecuador (Coalition of Organizations for Public Access to Information)	The coalition consists of a variety of NGOs working together to promote free access to all pubic information to lay the foundation for a transparent and participatory democracy. The coalition lobbied for the passage of LOTAIP. Currently, it monitors implementation of the law and conducts workshops to train pubic officials and raise awareness of the law among citizens and the public sector.
Corporación Latinoamericana pare el Desarrollo (Ecuador Chapter of Transparency International, CLD-TI)	CLD enhances the capacity of civil society in the areas of judicial and institutional reform. CLD monitors transparency in Ecuador (through its corruption index) and monitors the implementation of the Law of Transparency and Access to Public Information. It also advocates for the approval of laws and monitors public procurement contracts.
Grupo Faro	*Grupo Faro* supports civil society, private sector, and public institutions' capacity to propose and implement local and national public policies to achieve a more efficient, equitable, and democratic society. The NGO carries out programs on budget literacy, budget analysis, and budget transparency.
Jubileo 2000	The organization promotes citizen participation in policies aimed at managing public debt. It monitors the level of public debt and disseminates the information to the public through bulletins.
Observatorio Social (Social Observatory)	The observatory monitors protection and enforcement of children's rights, specifically those found in the Civil Code for Youth and Children. It has lobbied for reforms of the penal code, published a book on the status of child and adolescent rights, and created a decentralized monitoring mechanism to support and monitor the Childhood Council.
Participación Ciudadana (Citizen Participation)	The organization promotes democratic leadership and transparency in public sector activities and political processes. Its programs include: monitoring the work of Congress, providing information on the work of budgetary committees and law proposals, and monitoring elections and electoral spending at the national and local levels.
Observatorio de Política Fiscal (Observatory of Fiscal Policy, OPF)	The observatory enhances citizen understanding of issues relating to public expenditure management, fiscal policy, and other macroeconomic issues and helps enhance the transparency of the public sector. It publishes monthly bulletins and educational brochures and organizes dialogues on the yearly national budget.

NGOs with Social Accountability as One of their Program Areas	
NGO	**Organizational Profile and Social Accountability Programs**
Fundación Futuro Latinoamericano	The foundation's primary goal is to promote sustainable development through participatory policy making in Latin America. In the area of social accountability, it promotes public dialogue on forestry issues and monitors implementation on agreements related to public forestry management.
Fundación Esquel	*Esquel*'s mission is to contribute to Ecuador's sustainable human development (improve the quality of life of the poor) and construct a democratic and responsible society. In the area of social accountability *Esquel* has (a) created justice observatories to monitor the justice system and generate a public debate on judicial reform; (b) promoted a system to evaluate judges; and (c) piloted citizen report cards of social programs in health, social protection, and education.
Servicios para un Desarrollo Alternativo del Sur **(SENDAS)**	SENDAS' mission is to empower marginalized groups, especially women, and improve their quality of life. In the area of social accountability it supports a Public Policy Observatory that monitors public contracts and works at the local level.
Centro Manabita de Desarrollo Comunitario **(CEMADEC)**	CEMADEC is an association of local actors, including youth, who participate in the formulation of local development plans. It has established oversight committees to monitor municipal spending.
Fundación Ecuador	The foundation's mission is to promote dialogue among Ecuadorians and improve social policies to enhance the quality of life. In the area social accountability, it has supported public dialogue on education reforms.
CAMAREN	The organization's goal is to analyze and propose policies related to water management at the local and national levels. In the area of social accountability, it has established oversight committees in *Chimborazo* and *Cotopaxi* to monitor implementation of policies on water.
Desarrollo y Autogestion **(DYA)**	The primary goal of DYA is to improve the quality of social services by promoting co-management between government and the community. It has supported processes of participatory policy making, budgeting, and monitoring.
Contrato Social por la Educación	The organization's mission is to achieve universal access to first-rate education for all children in Ecuador. The organization functions as an oversight committee that monitors education policy.
Centro de Investigación de los Movimientos Sociales **(CEDIME)**	The center's overall goal is to strengthen leadership skills to enhance equality and promote democratization in Ecuador. In the area of social accountability, CEDIME has empowered women to participate in development planning through capacity-building programs.
Servicio Jesuita a Migrantes	The organization aims to improve living conditions for refugees and migrants through monitoring and evaluation of policies and institutions linked to migration.
Asamblea Ecuatoriana por los Derechos de los Jovenes	The assembly promotes youth access to local government. It has established participatory mechanisms for youth at the local level.
CEDENMA	The organization's primary aim is to promote transparency and eliminate corruption of forest control systems. In the area of social accountability, it has established an oversight committee to monitor forestry policy in the Esmeraldas province.
Centro Ecuatoriano de Derecho Ambiental	The center aims to improve the relationship between the government and citizens by promoting participatory decision making on environmental issues. It encourages access to information on environmental issues and citizen participation in policies affecting the environment.
Fundación Regional de Asesoria en DD–HH	The foundation's primary goal is to improve citizens' access to justice. In the area of social accountability, it supports a justice network *(Red de Justicia)*, which monitors implementation of reforms, expenditures, and financial management in the justice sector.

NGOs with Social Accountability as One of their Program Areas	
NGO	**Organizational Profile and Social Accountability Programs**
Servicio Paz y Justicia del Ecuador **(SERPAJ)**	The organization's overall goal is to eliminate violations against youth rights. It has established a Youth Observatory that monitors the state's compliance with the rights of youth and raises awareness among citizens about these.
Movimiento mi Cometa	The organization's broad aim is to improve access to and the quality of public services. It supports an initiative to encourage citizens to hold their governments accountable for the quality of public service delivery.

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