

DOES COLLABORATION WITH CIVIL SOCIETY STRENGTHEN ACCOUNTABILITY INSTITUTIONS? AN EXPLORATION¹

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How citizens interact and collaborate with accountability institutions has been the subject of much careful review in recent years. This note highlights key points from the discussion. But first, perhaps we should clarify what we mean by “accountability institutions.” Accountability Institutions (AIs) include anti-corruption bodies, supreme audit institutions (SAIs), ombudsman institutions (OIs) and human rights commissions. This note will focus on OIs and SAIs which may differ in their specific mission and function, but are similarly tasked with addressing some of the shortcomings of the separation of power across the executive, legislative, and judiciary branches of government (see [Peruzzotti 2012](#)). As such, they have direct relevance to the interests of citizens and civil society organizations. How can further collaboration between AIs and civil society be best encouraged within the so-called accountability ecosystem (see [Halloran 2014](#))? What are the benefits and risks of this collaboration? In a brief review of international experience and debate, this note addresses these questions and raises others for further consideration.

I. COOPERATION BETWEEN ACCOUNTABILITY INSTITUTIONS AND CIVIL SOCIETY ON THE INTERNATIONAL AGENDA

Accountability institutions (AIs) are taking center stage in the international arena. Their role as autonomous agencies charged with addressing shortcomings of the governmental checks-and-balances system is critical, for many reasons. First, by fulfilling their mandate to detect and reveal mismanagement of public resources and any

legal transgressions that may erode citizen rights, they strengthen government as a whole. Second, by monitoring state interventions and voicing citizen claims, AIs contribute to more effective policy implementation and service delivery—and, thus, to citizens’ quality of life.

This note was developed by Carolina Cornejo (Asociación Civil por la Igualdad y la Justicia, ACIJ), Renzo Lavin (ACIJ), and Marcos Mendiburu (World Bank). The authors would like to thank Jonathan Fox and Brendan Halloran for their comments, as well as the participants of the GPSA Knowledge Platform’s virtual forum on CSO–Accountability Institutions’ Engagement, held between March 11 and April 3, 2015.

In recent examples, ombudsman institutions (OIs) are playing a key role in investigating citizens' complaints regarding service delivery while supreme audit institutions (SAIs) worldwide are increasingly performing value-for-money audits (focused on the economy, effectiveness, and efficiency of policy implementation).

It is not, then, surprising that calls for greater collaboration between AIs and civil society have increased over the past decade. AIs worldwide are opening channels for dialogue, interaction, and cooperation with citizens and civil society organizations (CSOs) ([see link](#)). Similarly, CSOs are promoting civic engagement in govern-

ment accountability mechanisms ([see link](#))—in some cases by submitting requests that, in effect, trigger AIs to fulfill their function.

Engagement between AIs and civil society, meanwhile, has been discussed at several international forums. The academic community, too, is investigating such concepts as “the co-production of public control” ([see link](#)), “the societalization of horizontal accountability” ([see link](#)), and the role of pro-accountability networks in advancing “strategic social accountability.”

Proponents of CSO–AI engagement argue that, in working together, the two types of actors can help overcome each other's constraints.

BOX 1

One academic study looks at four factors critical to the operation of ombudsman institutions in Latin America:

- Institutional design
- Quality of the context
- The nature and characteristics of alliances (including with other accountability institutions, the media, and civil society organizations)
- The “personal factor” (the personal qualities of the appointee)

Alliances with civil society may include legal actions, joint investigations, public statements, and rights promotion.

Thomas Pegram, “In Defence of the Citizen: the Human Rights Ombudsman in Latin America,” paper presented at the V Annual Meeting of the Red Euro-Latinoamericana de Gobernabilidad para el Desarrollo (REDGOB), Poitiers, December 6–7, 2007.

For example, they encourage donors to support innovative pilots that promote such collaboration, noting that openness to external stakeholders (civil society and the media, as well as legislatures) can help SAIs overcome technical, political, institutional, and communication challenges ([see link](#)).

The potential benefits flow both ways. One analysis of OIs in Latin America notes that these

institutions “can provide resource-stretched social actors with legal and technical expertise and access to the legislative process.” (see Pegram 2007, p. 234). Where AIs are ineffective, however, they pose challenges to even well-organized civil society efforts to exact accountability, as illustrated by the case of farm subsidies in Mexico ([see box below](#)).

BOX 2

Accountability institutions have an important role to play in civil society efforts to achieve transparency and accountability. This is evident in an example from Mexico, where a coalition of civil society organizations sought to redress the unequal distribution of farm subsidies. Despite creating a public database displaying their allocation and management, the outcomes of the advocacy campaign “were shaped by the capacity and incentives of the relevant accountability institutions” (p. 30).

“As Haight summed it up: One of the lessons of this campaign is that gathering all the available evidence and building a powerful argument is not enough in a context of ineffective accountability institutions.”

Guillermo Cejudo, “Evidence for Change: The Case of Subsidios al Campo in Mexico,” Study No. 6, IBP, updated November 2013 online.

While both AIs and CSOs face constraints and challenges, they may be better positioned to overcome these together rather than alone. In some cases, engagement may result in a mutually beneficial closing of the accountability loop ([see link](#)).

Relationships between AIs and CSOs are forged

in an incremental process of information sharing, consultation, and coordination. The potential gains of even small steps toward improving transparency and public access to information are tremendous. Among the benefits of increased transparency are increased opportunities for effective collaboration.

BOX 3

Good governance practices include making the reports of accountability institutions publicly available in a timely manner and at a reasonable cost for all citizens. Governance assessments, such as Global Integrity, include measures of how ombudsman and supreme audit institutions enable citizens’ access to key information. Among other things, this opens the way for increased collaboration with citizens (by, for example, enabling them to follow up on reported findings).

See Global Integrity, Category V—Government Oversight and Controls (I and II).

In a number of cases, these engagement processes are formal; in others, ad hoc initiatives target specific groups and practices. The scope of engagement and potential entry points for collaboration will vary according to the mandate of each AI. OIs may engage with various types of CSOs depending on their areas of focus: human rights, transparency and governance, or maladministration. For example, an ombudsman that focuses on the protection of citizens’ basic human rights (from torture or persecution, for example) will engage in different ways than one that promotes aspirational rights (for housing and social security) (see Pegram 2007).

Likewise, in the case of SAIs, engagement may be shaped by the type of audit in question: financial, legal, or performance. The one element common to the many possible avenues for engagement is their promise: namely, that collaboration between AIs and citizens can improve public accountability mechanisms, governance practices, and public policies as well as protect and guarantee citizens’ rights.

This promise has been recognized by the international community in declarations and resolutions affirming the role of AIs in promoting good governance.

[The United Nations Convention against Corruption](#)

encourages member states to formulate policies that include civil society in efforts to combat corruption and improve accountability processes. Similarly, the International Organization of Supreme Audit Institutions' Standards Nos. [20](#) and [21](#) (2010), and the most recent, No. [12](#) (2014), affirm SAIs' responsibility to improve the lives of citizens. The standards suggest a series of principles and practices that go beyond the mandate of transparency and access to information and aim to create mechanisms for citizen engagement in the auditing cycle.

So, how do these international principles and standards serve as an incentive to promote engagement between AIs and citizens? Their effect depends, to a large extent, on political will; the independence, organizational culture, and capacity of key institutions; citizens' perceptions; and the country context, including the legacy of past AI-citizen interactions. These factors also in large part decide the potential opportunities and risks of engagement. We will now look more closely at these benefits and risks, using case studies from around the world.

II. ASSESSING THE OPPORTUNITIES AND RISKS: IS COOPERATION MUTUALLY BENEFICIAL?

The promotion of citizen engagement in public affairs is, in and of itself, a democratic practice. What are the benefits and risks of such engagement?

Benefits to Accountability Institutions

- *Citizens and CSOs can help AIs identify areas of inefficient management or alleged corruption in government, as well as provide valuable information that can inform oversight processes and enhance reporting.* This is particularly so when social actors have concrete knowledge because they work in a related area or are direct beneficiaries of relevant state interventions ([see link](#)).

In 2012 the Office of the Comptroller General of **Chile** (CGR) launched a website, Contraloría y Ciudadano, to channel citizens' suggestions and complaints regarding the audit process. Users may check the status of their complaints and suggestions using the year and an assigned folio number ([see link](#)).

The General Audit Office of **Argentina** coordinates thematic workshops to which it invites CSOs working in specific fields (environment, transport, disabilities, and so on) to offer input on the planning of particular audits (included in an annual plan). This process provides useful information to the field auditors, including reports and data collected by civil society that shed light on areas to be audited, thereby enhancing official audit reports ([see link](#)) ([see link](#)).

A similar process has been developed by the Office of the Comptroller General of **Paraguay**, which invites the participation of CSOs in thematic workshops with the institution's environmental auditing unit ([see link](#)).

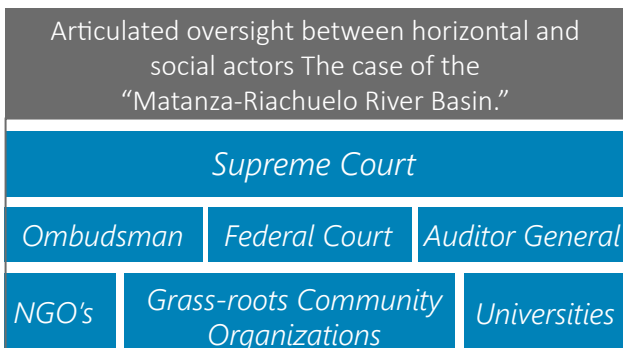
In 2003 the Office of the Ombudsman in **Peru** conducted an investigation on water access based, among other things, on citizens' complaints received by the institution. In 2007 it submitted 19 recommendations to the government and relevant entities to improve the management and operations of the service. This report not only led to structural changes in water provision services, but also served as a catalyst in formalizing interagency cooperation and promoting citizen engagement in an ongoing dialogue on water access and distribution ([see link](#)).

In **Guatemala** the Centro de Estudios para la Equidad y Gobernanza en los Sistemas de Salud promotes "rights literacy" among indigenous communities by, among other things, providing them with video cameras and voice recorders to document rights violations and failings in public services. Evidence is then delivered to the ombudsman.

- *CSOs can strengthen the work undertaken by AIs by monitoring compliance with the recommendations made in AI reports and exerting pressure on the executive and legislative branches to adopt and act upon them (see link)*

In **South Africa** the Public Service Accountability Monitor (PSAM), a CSO, works in close collaboration with Parliament to follow up on cases of mismanagement or irregularities identified by the Auditor General (AG) in audit reports. The PSAM publishes audit results in press releases, disseminates them via radio programs, and uses a dashboard that assesses government agencies' compliance with the AG's recommendations (see link).

In **Argentina** CSOs joined together with the National Ombudsman and the General Audit Office to follow up on a public interest litigation case filed against the National Government, the Province of Buenos Aires, the Autonomous City of Buenos Aires, and 44 companies regarding health-related problems suffered from the pollution of the Matanza-Riachuelo River Basin.



The Supreme Court admitted a class action for collective damages and demanded that authorities provide a cleanup plan. In an example of *articulated oversight* (a combination of social and horizontal mechanisms that incorporate social actors in oversight processes), the OI took charge of coordinating this multistakeholder effort, while the SAI was tasked with overseeing the cleanup plan's budget.

The CSOs' role was to ensure that all relevant actors complied with the obligations set out in the court sentence, as well as to make recommendations to the authority responsible for implementing the cleanup plan (see [Peruzzotti, GPSA webinar, March 2015](#)).

- *CSOs and citizens can contribute their time and knowledge to monitoring processes.* This may include field monitoring, as illustrated by the "Participatory Voices" Project in the Puno Region of **Peru**, implemented by CARE in collaboration with ForoSalud and the Office of the Ombudsman. Women from poor areas of Puno were trained to monitor the quality of care provided by local health services, including through patient surveys (see link).

Examples of civil society participation in audits include a collaboration between CSOs and the Audit Commission in the **Philippines**, a citizen oversight (*veedurías ciudadanas*) initiative established by the Office of the Comptroller General of **Colombia** (see link), and joint audits (*auditorías articuladas*) with the **Honduran** Audit Office. In 2003 the General Audit Office of **Argentina** conducted an audit of transportation accessibility and invited organizations advocating the rights of persons with disabilities to participate. Field audits revealed that although transportation companies had vehicles that accommodated persons with disabilities (with ascending and descending ramps), these were less available during rush hour and in certain areas, to the detriment of disabled passengers. Such a problem could only have been detected with civil society participation (see link).

- *CSOs can (re-)use the information generated by AIs and thus expand the scope and visibility of AI reports.* For this reason, it is important for the language in these reports to be nontechnical and easily understood by the average citizen, who is unfamiliar with the mission and operations of AIs but could benefit from the information produced by them.

In Tanzania, for example, the CSO HakiElimu compiles information from the audit reports of the national SAI and summarizes it in a [clear and accessible format](#). This not only raises the general public's awareness of key issues, but also encourages citizen engagement so as to influence policy formulation and implementation as well as the [budget process](#).

Benefits to Civil Society Organizations

- *CSOs working to promote rights, transparency, and better governance can bolster their own evidence-based advocacy campaigns* by using the information produced by OIs and SAIs. It is worth noting that the benefit of such cooperation is centered on AIs as sources of information rather than as accountability agencies (and their potential for recommending sanctions measures).
- *Engaging with AIs can help CSOs scale up their work*. By using audit or investigative reports, CSOs can link the concrete needs, recommendations, and complaints of individuals and local communities with public policies and programs at the national level. As noted by Pegram (2007): "Defensorías can scale up human rights claims to the national level in a way few NGOs can and turn individual grievances into public issues" (p. 235, [see link](#)).
- *CSOs benefit from using AIs as interlocutors*. As the experience of the Matanza-Riachuelo River Basin case shows, OIs can serve as intermediaries, connecting diverse stakeholders and using mediation and negotiation capacity to articulate their concerns in a multilateral space. Such a case goes beyond bilateral cooperation (as in, for example, the joint initiative of a single AI and a single CSO) to bring on board multiple stakeholders with complementary resources.
- *CSOs and citizens alike benefit from AIs' capacity to amplify the voice of citizens*. Beyond handling individual complaints, OIs may initiate systemic investigations into areas where the protection of rights is lacking.

Potential Risks and Obstacles

At first glance, AI-citizen engagement appears to offer only benefits. Yet, assessing such opportunities also requires understanding the **potential obstacles** and **risks** involved ([see link](#)).

- *Regulatory gaps*. The absence of relevant regulations may present an obstacle to promoting citizens' engagement. If AIs report to Parliament, shouldn't Parliament decide on the best ways to engage civil society? If institutions have no regulations that require them to interact with civil society, why should they get involved in initiatives that, in principle, go beyond their mandate? Underlying such reasoning is *bureaucratic resistance* and the fear of the *heavy workload* that could result from relations with civil society. But it is noteworthy that even in instances where there are no specific regulations pertaining to pro-active transparency, the trend of publishing institutional information has become widespread. Further, some AIs see a regulatory vacuum as an opportunity to pilot innovative approaches to engaging citizens.
- *Lack of trust in and information about counterparts*. Citizens' lack of knowledge about the role of certain institutions does not necessarily imply a lack of interest.

A survey conducted in Tanzania of roughly 1,500 citizens in the second half of 2014 ([see link](#)) revealed that only 1 in 10 was aware of and could correctly explain the role played by AIs, including the National Audit Office of Tanzania (NAOT) and the parliamentary Public Accounts Committee to which the NAOT reports. But even this relatively small number could not identify any specific accomplishments of these institutions over the past three years.

“The only way to start the ball rolling is when we communicate and jointly solve problems through continuous dialogue. Avenues like these lead to increased awareness and appreciation of the similarities and differences of each institution’s goals. . . . More meaningful engagement happens once they start to warm up, not because of their frequent attendance in learning events, but because they have understood and appreciated how civil society works and vice versa.”

Vivien Suerte-Cortez, ANSA EAP the Philippines, GPSA KP E-forum, March 2015.

But the very same survey highlighted that one in three citizens would be interested in a weekly presentation and discussion of audit findings on live radio programs. This interest stems from the widespread belief (expressed by 8 in 10 people) that the corruption and embezzlement of public funds mainly impact citizens.

Meanwhile, the 2012–13 NAOT report indicates that 42 percent of the recommendations made by the Comptroller and Auditor General concerning the central government’s financial statements were actually implemented ([see link](#)). Civil society could be a useful ally in strengthening AI recommendations in this context.

BOX 4

Citizens’ limited knowledge of the role and function of accountability institutions may in part explain why a significant number of the complaints they submit to these institutions are deemed inadmissible. One analyst writes, of Peru: “. . . the high level of total complaints received by the Ombudsman . . . hide a number of problematic features. Particularly pertinent is the number of complaints submitted each year that are not admissible” (p. 12).

Thomas Pegram, “In Defence of the Citizen: The Human Rights Ombudsman in Latin America,” paper presented at the V Annual Meeting of the Red Euro-Latinoamericana de Gobernabilidad para el Desarrollo (REDGOB), Poitiers, December 6–7, 2007.

Describing a similar situation in Korea’s BAI, another report notes “The citizens are the most active requesters, accounting for 59.5 percent of total audit requests. . . . Citizens also recorded the lowest . . . acceptance rate, 28 percent, among the four categories of requesters. The CSOs account for 32.3 percent of total audit requests, second to the citizens.” (p. 12).

Seongjun Kim, “Side by Side with People: Korea’s Experiences on Participatory Auditing,” World Bank Public Participation in the Budget and Audit Process (PPBA) Learning Note No. 1, 2015

This record begs important questions: How can citizens be better prepared to submit complaints (or requests) that will be deemed admissible by the institutions meant to serve them? And what, exactly, do accountability institutions consider to be sound evidence?

On the other hand, many AIs know little about CSOs whose work is relevant to their field. How can engagement between state and society be furthered where knowledge—and, importantly, trust—is lacking? Raising awareness is a key first step. According to Heidi Mendoza, the Philippines’ CoA commissioner: “That’s why we need CSO 101 for auditors, and Audit 101 for CSOs” (see [@GPSA KP webinar—March 10, 2015](#)).

- *Risk of undermining independence, objectivity, and legitimacy.* Institutional perceptions of CSOs as actors with specific agendas may discourage engaging them in external oversight work, which, by definition, must be impartial. Because of this concern, AIs often opt to involve citizens in nonbinding collaborative initiatives limited to concrete, time-bound objectives (for example, the publication of reports), instead of involving them in actual public oversight efforts (for example, articulated oversight).

But while some AIs note the potential risk of losing legitimacy, others see collaboration with civil society as an opportunity to gain strength. Further, CSOs and citizens can help preserve the independence and legitimacy of AIs by serving as watchdogs and demanding that the appointment of AI heads be an open process. Such advocacy is illustrated in the cases high-

lighted on the [Designaciones Públicas web portal](#) in Mexico or in demands from a group of CSOs in Argentina to appoint an ombudsman whose position has been vacant for several years ([see link](#)) ([see link](#)). Last but not least, where AIs lack independence from political influence, CSOs may be wary to engage with them.

BOX 5

“SAI independence and capacity interacts with the relative capacity and strength of civil society to engage successfully with the audit agency. Where SAIs are weaker and experience political interference but civil society is relatively strong, SAIs may seek its partnership with CSOs as a way to strengthen its institutional position and follow-up on audit recommendations. In contrast, when the SAI is relatively strong compared to civil society, co-operation would be less likely and, tentatively, only transparency mechanisms would be implemented in the best of cases. When both civil society and the SAI are relatively weak, co-operation is the least likely and probably it would only take place if triggered by external factors such as donors’ funding and support. Finally, when both SAI and civil society show medium to high levels of strength, co-operation might or not take place depending on factors such as pre-existing linkages between CSOs and the SAI and leadership within SAI” (p. 26).

Aranzazu Guillan Montero, “Supreme Audit Institutions and Stakeholder Engagement Practices. A Stocktaking Report,” Effective Institutions Platform (2014).

- *Risk of increased costs and burdens on capacity.* For AIs, the implementation of engagement practices entails time and requires the assignment of staff to specific tasks. This could derail resources from work inherent to an institution’s mission or exceed its capacity. Mechanisms for interacting with civil society may be difficult to sustain over time amid a lack of citizen partici-

pation, constrained financial resources, or staff turnover. Engagement also entails costs for CSOs, although on some occasions grants have been provided to CSOs pursuing engagement initiatives with AIs.

In any event, a cost-benefit analysis of engagement practices may be difficult, since some benefits are not easy to quantify.

BOX 6

In South Korea, after an audit request by telephone users who denounced a telephone company for involuntarily subscribing them to expensive phone plans, the BAI found over 2 million unauthorized subscriptions. The BAI notified the head of the Korea Communications Commission (KCC) for negligent supervision and recommended that corrective actions be taken. The telephone company was fined, and telephone users, including the requesters, were fully refunded as a result of the audit.

Seongjun Kim, “Side by Side with People: Korea’s Experiences on Participatory Auditing,” World Bank Public Participation in the Budget and Audit Process (PPBA) Learning Note No. 1, 2015.

However, sometimes benefits to citizens are not quantitatively measured. For instance, in the Korean case the question to ask would be: “How much money was refunded after the BAI conducted the audit?”

• *Difficulties in measuring impact.* Good policy design includes mechanisms to evaluate implementation and gauge impact. How can the outcomes of collaboration with citizens be best evaluated? As Prof. Jonathan Fox asked during a GPSA KP webinar, “Do you know of cases where articulated oversight or CSO engagement has increased SAI capacity to actually change state behavior? Are [state actors] complying more with SAI decisions?” The answers to such questions are by no means universal. Evidence suggests ([see link](#)) that outcomes must be measured using indicators specific to the local context.

III. WHO’S TAKING THE FIRST STEP TOWARDS MUTUAL ENGAGEMENT?

As with any public policy, citizen participation can be initiated top-down, by institutions themselves, or bottom-up, by citizens.

In an example of a top-down process, the Comptroller General of Chile took office in 2008 amid general mistrust in state actors following an increase in reported corruption. Despite the prevailing institutional culture, the new Comptroller General played a key role in launching structural reforms to further transparency; published audit reports and decisions, an annual public account, and the Comptroller’s own calendar of meetings ([see link](#)); and promoted citizen participation initiatives ([see link](#)). These actions reflect regional trends, the standards proposed by the Organization of Latin American and Caribbean Supreme Audit Institutions (OLACEFS), and the advocacy efforts of CSO networks ([see link](#)).

Similar processes of institutional opening may instead be prompted by external demands from organized civil society, calling for greater

citizen involvement in policy formulation and implementation relevant to service provision and the exercise of rights ([see link](#)).

Sometimes circumstances dictate citizen-AI engagement. In Argentina [participatory planning](#) (the mechanism by which the General Audit Office of Argentina calls on CSOs to propose topics or agencies to be audited that may be included in its annual audit plan, [see link](#)) dates back to 2003, when CSOs were invited to participate in a field audit of transportation accessibility for passengers with disabilities ([see link](#)). The findings of that exercise shed light on the benefits of collaboration and prompted the General Audit Office to implement a mechanism for collaboration with CSOs that was formalized in 2014 with regulations governing the procedure, thus signaling a commitment to sustain this policy.

This is a particularly promising example. Perhaps citizen involvement in pilot initiatives can pave the way for further engagement to be formalized and maintained over time.

IV. ASSESSING WHETHER AND HOW TO PURSUE ENGAGEMENT PROCESSES

Before establishing engagement practices between AIs and CSOs, a host of factors must be weighed and an assessment conducted of possible entry points, benefits, and risks.

A number of guiding questions are listed below to help OIs, SAIs², and CSOs³ self-assess whether they are ready to begin an engagement process.

²Additional self-assessment questions can be found in the WB PPBA (online) manual on participatory auditing (soon to be released).

³See additional GPSA questions [here](#) and [here](#).



Accountability Institutions (OIs AND SAIs)

- Have you collaborated with CSOs or promoted engagement with citizens? Is there demand for engagement from citizens or organized groups?
- Have you collaborated with other oversight bodies, or the media?
- Is there a legal framework (national or within the institution) that recognizes the institution's mandate to engage with the public?
- How do you assess the impact of the work of your institution? How do you rate its level of compliance with recommendations and observations made to public agencies? Have you identified internal or external constraints that minimize your institution's impact?
- What kind of information does your institution make available to the public? (For example, mission, functions, authorities, organizational chart, approved/executed budget, annual plans, audit and investigative reports, and so on.)
- How is information on the work of the institution presented and how is it disseminated? Do you use formats that are accessible to the general public? Do you include summaries and audio or visual support to describe the content?
- Who are the end users of the information disseminated? Are different strategies used depending on specific end-user groups? Is the information disseminated by the institution reproduced in other media and by other actors?
- Are there avenues for receiving grievances, complaints, or suggestions by citizens? How does the institution respond to information from these sources? How is external / citizen feedback incorporated into the operation of the institution?
- Does the institution have an office or unit that is specifically responsible for relations with external actors, in particular citizens and CSOs?



Civil Society Organizations

- Have you worked with AIs (OIs, SAIs, and so on) or do you plan to do so? What is your opinion of the performance of these institutions? Have you worked with other CSOs on advocacy campaigns related to the provision of public services that have used information from or engaged in dialogue with AIs?
- Have you worked with the media, in particular with investigative journalists, and availed yourself of the information provided by AIs?
- Do you have specific resources (physical, human, financial) to pursue engagement practices with AIs? What resources are necessary to initiate engagement processes?
- What information produced by your organization do you think would be useful to AIs? What are the incentives for these institutions to use this information as evidence in their activities?
- What information produced by AIs do you think would be useful to your organization? In what ways?
- Have the staff of your organization ever read and used information contained in the reports prepared by SAIs or OIs? In what way can these reports contribute to your advocacy activities?
- What entry points do you see for starting an engagement process with AIs? Do you see any obstacles to launching successful initiatives? What are the potential benefits?

