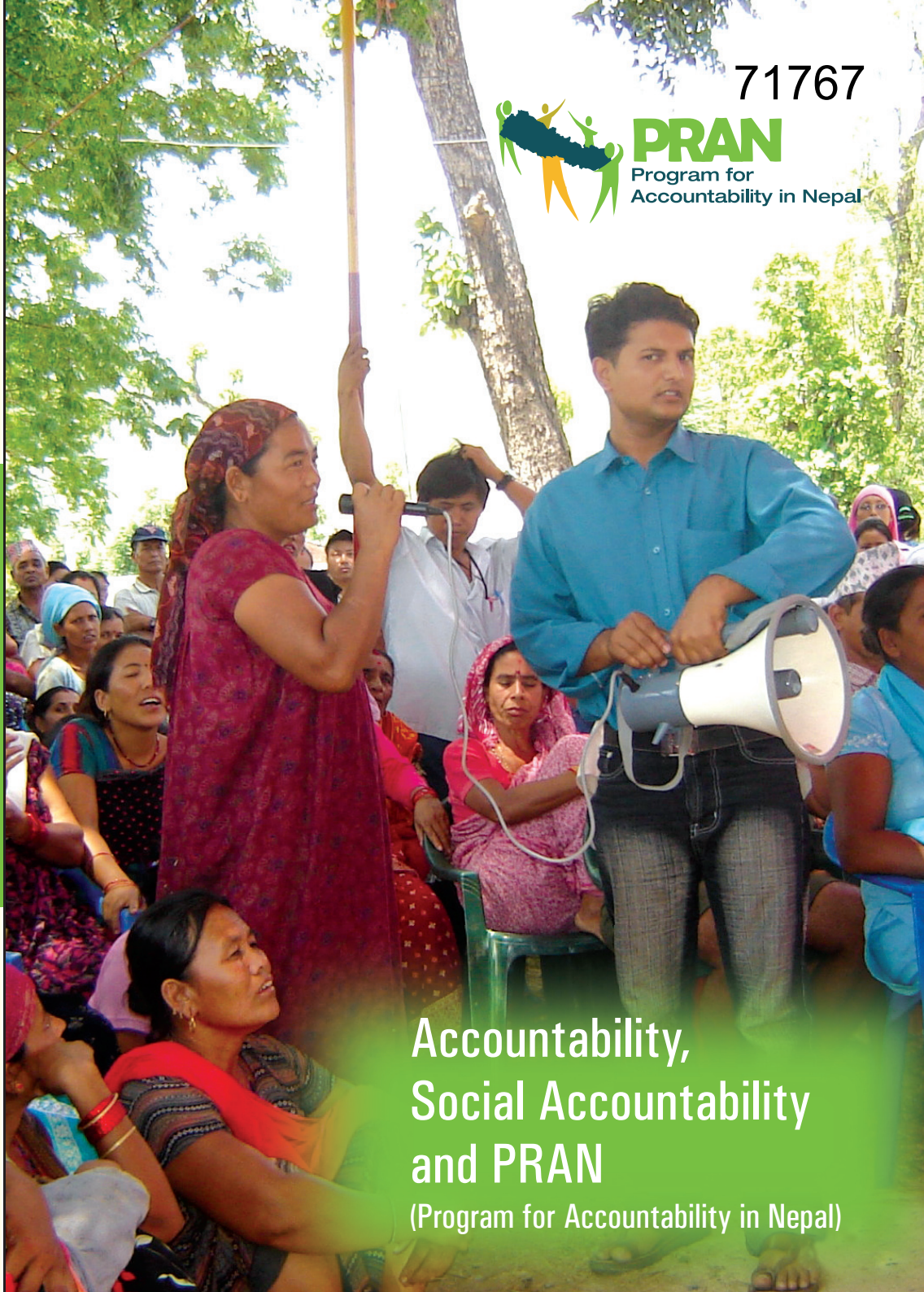


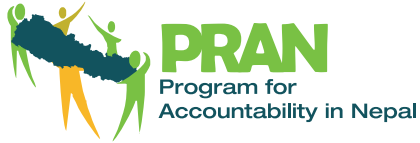
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**Accountability,  
Social Accountability  
and PRAN**  
(Program for Accountability in Nepal)

"The photograph of the Civil Society Anti-Corruption Project of Pro-Public, supported by DFID, is reproduced here with permission of Pro-Public. It shows a public hearing taking place in Rupandehi."



# Accountability, Social Accountability and PRAN

(Program for Accountability in Nepal)

This booklet tells you about a World Bank project in Nepal to increase Social Accountability. In order to explain what PRAN wants to do, it describes Accountability, then Social Accountability, and finally tells you about PRAN and how you can be involved.

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# Accountability, Social Accountability and PRAN (Program for Accountability in Nepal)

## Accountability

“Accountability” means that people take responsibility for their actions in respect of others. If they have done something, or said something, they must be prepared to take the responsibility for this when others question them.

We hold each other responsible for our actions: if you say you will meet me tomorrow, then I expect you will meet me tomorrow, or have some good reason to explain why you have not been able to do this. If you agree to lend me some money, I expect you to do this, or explain to me why you have not been able to. “Accountability” implies that I am prepared to live up to what I have said or what I have promised, and that, if I do not, I am prepared to justify my actions.

This is not complicated when you are dealing with people who are at equal level in society. Each one can hold the other responsible. When, however, you are dealing with people who have more power than you, or have power over you, the situation becomes more complicated. You hope and expect that these people with more power than you will be responsible, but you are not able to make this happen.

You can ask them to be responsible, you can try to persuade them to be responsible, but you do not have the power to make them be responsible.

When you are dealing with the Government, it is more complicated again. Government officials usually have more power than you. Officials of political parties often have more power than you. But you have some power over them because the Government has made certain promises to the citizens, and you can try to hold them to these promises.

These “promises” are the laws, the policies, the rules and regulations that the government has publicly announced. This is the social contract between the citizens and the government. In a democracy you can challenge the Government to do what they have said they will do.

There are the fundamental rights of the citizens which are written in the Constitution, there are the laws, and there is the public interest, or the pressure of public opinion. Citizens have the right to make sure that government officials (a) obey the laws and do not abuse their powers, and (b) serve the public interest in an efficient, effective and fair manner.

## 1. Standards of Good Governance

People expect certain standards of government - particularly in the way that it behaves towards the poor and socially excluded - which we often call “good governance”. They are frequently disappointed when government does not practice good governance, but they still hope that they can hold government to these standards. These standards are shown in a variety of institutions and structures:

**Political:** there is the Constitution, the separation between the executive, the legislature and the judiciary, and certain commissions like the office of the Attorney General, the office of the Auditor General, the Public Accounts Committee.

**Financial:** there is the requirement for audits of government departments, and indeed of the whole of the government budget, rules of financial management, and rules for procurement.

**Administrative:** there are public service codes of conduct, reporting systems, and rules and procedures for civil servants.

**Legal:** there are the laws, corruption control agencies, the police, and agencies for investigation.

Citizens know from their experience that these different institutions and structures do not always work well,



and sometimes work badly, but they believe that there are certain standards which are written in law, and that the government officials should be accountable to these standards, laws, rules, regulations. The citizens expect that the government officials live up to these regulations, and feel that they have the right to hold them accountable to these regulations. Citizens feel that they have the right to make sure government officials do what they should do, and what they have officially said that they will do. The citizens also expect that if they do not live up to these standards, they must justify their behavior or face the possibility of punishment.

In many countries in the world the government officials are well known for corruption, but few people will say that corruption should therefore be accepted. Rather people will insist that corruption is not acceptable and must be resisted. The citizens hold the government accountable for the actions of its officials when they are corrupt, and holds the individual government officials accountable as well.

Citizens also know that the State has resources which have come from their taxes, and from assistance that has come from other countries. They know that these resources do not belong to the government officials, but belong to the citizens and have been entrusted to the government to spend wisely. The citizens have the right to know how these resources are going to be spent or have been spent,

and have the right to hold the government accountable for this.

## 2. Holding the Government Accountable

In spite of the rules and regulations, laws and standards that the State has announced, the State is generally not very effective at holding itself responsible. Government officials may ignore the laws, break the rules and regulations with impunity, and do things that they should not do. Even though the Government makes rules and regulations, these are often ignored, not applied, and not implemented. Who therefore, is going to hold the government accountable?

It must be the citizens who can say to the government - “You have said that you have certain policies, laws, standards, rules and regulations, but we see these being ignored. We want to tell you that we know what you should be doing, and we want to make sure that you do this. We will hold you accountable to your promises”.

If citizens do not try to hold government accountable - i.e. do not hold them to do what has been agreed in the laws and standards, there is a good chance that government will not police itself properly, and many problems will arise:

**Waste:** programs and projects will not be well administered and money and resources will be wasted - which could have been used to benefit poor people

**Wrong Choices:** policies will be agreed which are likely to benefit certain powerful interests, and not to benefit the poor and socially excluded

**Poor Management:** services which have been agreed will be forgotten, be wrongly targeted or delivered, will be delayed, or will be diverted to the wrong people

**Corruption:** government officials will sometimes steal for themselves money or other resources which are meant to be used on government programs or which are intended to benefit others, particularly the poor and socially excluded

Citizens need to exercise their right to hold government officials responsible for what they should do, and to be involved in decisions that directly affect their lives, and to hold them accountable for the efficient use of the public resources they have been asked to manage.

## Social Accountability

This refers to the range of different ways in which the citizens can hold the state to be accountable, as well as actions on the part of government, media, and civil society organizations to promote or support these efforts.

In many different countries citizens are increasingly challenging their governments, pointing out that there is a lack of transparency, a lack of responsiveness to the problems of the poor, and a lack of accountability to the citizens. They are no longer satisfied with the governments policing themselves - because they have seen that it does not work, and that people get away with a lot of corruption with impunity - and they demand the right to be involved in decisions about how resources will be allocated, to be able to monitor government performance, and to make sure that government resources are spent on what they should be spent on.

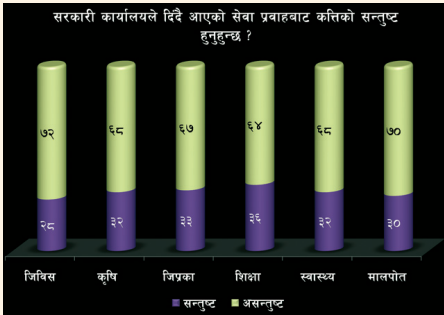
### 1. Social Accountability Mechanisms

Some examples of social accountability mechanisms are:



**Public hearings:** government officials are required to explain what they are doing in public to those people who are affected by their work.





**Citizens Report Cards:** citizens collectively write reports on the services they have received from government departments, send the scores they have given them to the government departments

and demand an improvement in the services shown by low scores.

**Community Score Cards:** government service providers score their performance in the delivery of services: community members who receive these services score the performance of the service deliverers, and they exchange this information, seeking to find ways in which both sides see what needs to be improved.

**A Sample of a Performance Scorecard for Health Sector (by CARE)**

	Indicators	Score out of 100	Scores after 6 months	Reasons for Change
1	Positive attitude of staff	40	50	Attitude change
2.	Management of the health centre.	50	75	No favours Clean premises
3.	Quality of services provided	35	50	Positive attitude of staff
4	Equal access to the health services for all community members	25	50	No discrimination in service provision



**Participatory Budgeting:** citizens demand the right to discuss the budget with the Government before it is agreed, so that there is space for citizens concerns to be heard.

**Public Expenditure Tracking:** citizens track what has been spent by the government in a particular place or program, and check whether this is in agreement with the original budget.

**Procurement Monitoring:** citizens look at the process by which funds were spent through procurement of services (often from contractors) to check whether the results are in line with the original procurement specifications.

These are some examples of social accountability tools and mechanisms: please see more on Page 33 which are the ones we are suggesting for the PRAN.

## 2. Different Strategies, Methods, Tactics

In different countries different strategies, methods and tactics have been involved for all of these mechanisms and more:

1. Mechanisms have been tried out by a variety of different actors. In many cases it is civil society organizations which have been the pioneers - working with and for communities; in other cases the media, or parliamentarians have taken the lead. In some cases it is government officials who can see how important accountability is, and they have taken the lead
2. Mechanisms have been attempted at many different levels - from community to village to district to national, and even international levels
3. Mechanisms have used different strategies: for example working through research, through monitoring, through civic education, through media coverage, through advocacy, through building coalitions and networks
4. Mechanisms have been used to impose sanctions: for example by prosecution, by enforcement of the law, by public shaming and exposure.

## 3. What Issues does Social Accountability Address?

Typically social accountability mechanisms address the following issues:

**Public Revenues:** In most countries around the world, citizens know little about how much money their



government has, where that money has come from, and how it is managed and accounted for. There is a great need for citizens to be better informed about public revenues. If citizens have that information they can make sensible suggestions to government about how the money can be spent most sensibly to benefit the poor and socially excluded.

**Public Budgets:** In most countries around the world, it is very difficult to understand the government's budget at whatever level from national to village - and if you cannot understand it, you cannot make sensible suggestions about how it should be constructed. There is a great need for citizens to be better informed about national budgets, and this requires undertaking public education campaigns on the budget and the budgeting process.

**Public Expenditures:** In most countries around the world, government does not spend money in strict accordance with the budget - large and small amounts are "lost", siphoned off into people's pockets, re-allocated to favored projects, given to "ghost" people. Citizens need to know how government money was actually spent and, if it was stolen, then seek to get the money returned and used for the purpose intended.

**Public Service Delivery:** In many countries around the world, public services from the government are not

received as they were intended. Sometimes people have to pay for services which should have been free, sometimes the services are very late or do not arrive at all, sometimes the quality of the services is very poor. Citizens need to know what services they are entitled to, and make sure that they receive them.

**Good Governance:** Governments can make laws and regulations which favor the rich and powerful. Governments can provide opportunities for their friends in high places, and provide impunity to them when they break the laws. But “good governance” means using the instruments of government in favor of the poor and socially excluded, in the name of development. Citizens need to think what government can do to improve the situation of the poor, and check whether the government is doing this or not.

#### 4. What Benefits come from Social Accountability?

When citizens get involved in participating in development policies and practice, and monitoring government performance through social accountability mechanisms, we can expect certain benefits:

**Strengthened Democracy:** citizens will get involved in the way that the State works, and will take part in democratic processes. Often, in many countries, it is the elites and the powerful who know how the State works, and they often use that knowledge for their own advantage.

Social accountability will help ordinary citizens to have information about public affairs.

**Reduced Corruption:** social accountability will reveal corruption and the impunity of those who are behaving corruptly. It will also frighten those who may be entering corrupt activities not to do so because they will be found out.

**Greater Government Legitimacy and Credibility:** as citizens find out more about how government works, they are likely to understand more about the difficulties and constraints under which government works, and what it is trying to do well. They are likely to understand and accept certain government practices.

**Improved Citizen-state Relations:** if the citizens, often working through CSOs or the media, open up channels of communication with government officials, it is likely that each side will start to understand the other better.

**Better Development:** social accountability will lead to the involvement of the poor and socially excluded in government management. This is likely to lead to better designed policies, budgets, and plans which will favor the poor. It may also lead to increased resources for the government, because people will be more ready to pay their taxes if they are sure that their taxes will be well

spent. It is also likely to lead to greater efficiency and less waste in government services, as such problems are revealed.

**Greater Awareness of Citizens Rights:** many citizens remain unaware of their rights, and, all too frequently, these rights are violated despite legal guarantees. Social accountability will go some way to educating citizens about their rights.

**More Information:** citizens who do not have information do not know what they are missing. The application of and use of Right to information Laws are an important part of social accountability.



## Program for Accountability in Nepal (PRAN)

PRAN is a program of the World Bank designed to provide practical training, action learning, and networking opportunities aimed at civil society organizations. It is intended to develop the capacity of civil society and government actors to promote social accountability in Nepal.

PRAN, therefore, has to take the ideas of accountability and social accountability discussed in the first part of this booklet, situate them in Nepal, make sure that they fit the Nepali context, and make sure that what PRAN has to offer makes sense in Nepal.

So we need to go back and re-examine some of the words that we have been using:

**1. Citizens:** PRAN is not interested in all citizens: it is interested in being of use to the poor, the marginalised and the socially excluded. These people are also citizens, and they need to hold the government accountable for their rights.

**2. Civil Society Organisations:** PRAN is not interested in all Civil Society organizations (CSOs). As you all know,

there are very competent and committed CSOs who want to support the poor, the marginalized and the socially excluded, and there are also CSOs which are only interested in collecting donor funds. PRAN is interested in the former, and particularly in voluntary organizations like mothers clubs, user groups, and small scale cooperatives.

PRAN is also very aware that CSOs also need to be accountable. They have obligations to their members, to the government (at local and national levels), and to their supporters - some of which are written into law.

**3. Projects:** We have all seen how projects last as long as their funding continues: when the funding stops, the project stops as well - there is no sustainability. PRAN is interested in giving people new knowledge, training people to have new skills, and helping a limited number of them to practice what they have learnt to prove that it is possible. PRAN is not supplying core funds of any CSO - it is helping existing CSOs to acquire new skills which, PRAN hopes, they will see as being useful and will continue to practice.

## 1. PRAN's Three Themes

While PRAN will support strategies to promote social accountability across all sectors in Nepal. It has agreed on three areas of work to which it gives priority:

- i. **Public Financial Management:** i.e. how the government handles its finances - at all levels
- ii. **Municipal Governance:** i.e. how municipalities are governed
- iii. **Public Service Delivery:** i.e. how well are public services delivered

In order for PRAN to be effective, it has to understand the forces which are holding back social accountability, and the factors that are promoting it. With that information it can develop good programs, with the help of its partners - programs that are effective and targeted to the reality of Nepal.

*Example of Social Accountability with FECOFUN - the battle is not yet won.*

*The Landmark Forest Act of 1993 recognizes community forest user groups (CFUG) as perpetually self-governed institutions able to claim 100% of the benefits from the forest handed over to them. However, the actual contract between forest officials and CFUG states that “notwithstanding whatever is written in previous clauses, the CFUG will follow written and verbal orders of forest officials and staff.”*

*Because of unequal power relations between forest officials and CFUGs, CFUG members are fearful and reluctant to deal with the warden and national park rangers. Officials see their services to villagers as personal favors (for which they get paid) rather than as their duty. Only the more educated And powerful are prepared to deal with the forest officials, with the results that the benefits are captured by the elites.*

## 2. What Influences Social Accountability in Nepal?

We can divide this section into two:

- a. The Laws and the Institutions
- b. The Social, Historical and Political Context

### **a. The Laws and Institutions**

At the most basic level, the 2007 Interim Constitution of Nepal guarantees Nepalis' fundamental rights, including the freedoms of expression, opinion, the rights to form political parties and the right to assembly, the rights to form organizations and unions. The Constitution guarantees the Right to Information, the Right to Religion, the Right to Privacy, the Citizens Rights' Act, the Good governance Act, and many more. A very important Act for work in social accountability is the Right to Information Act.

The 2008 Good Governance Act stresses the need to make public administration “pro-people, accountable, transparent, inclusive and participatory” and to transform “the administrative mechanism into a service delivery mechanism and facilitator”.

Civil Society Organisations are supported by the 1992 Social Welfare Act, the Interim 3 year Plan,





the 2000 Local Self-Governance Act, and the 2008 Good Governance Act.

The Interim Constitution and the Three Year Interim Plan specified decentralization and elected bodies for local self-governance - aiming for good governance, people's participation and peoples empowerment. It emphasised 33% representation of women in policy and decision making processes at all levels, eliminated constraints to dalit upliftment, and increased access of janjatis, madhesis, and muslims to administrative, social and economic resources.

The Interim Constitution established a number of institutions for public accountability and oversight of corruption. There is the 2002 Corruption Control Act, the 2007 Public Procurement Act, and other acts against Banking offences, Money laundering, and Revenue leakage.

*Example of Social Accountability with Radio Maran Pokhara - having an impact*

*The Community Radio Station Madan Pokhara in Palpa regularly conducts public hearings. Success stories from such endeavours include one VDC Secretary repaying Rps 53,000 that he had taken for himself, and another who initiated public hearings in three election areas, after being impressed with the community radio work.*

*Furthermore a public hearing on the fluctuating rates of jeep fares conducted last year resulted in a public commitment from the jeep syndicate to maintain standardized prices.*

There are laws and regulations to control Political parties and their finances, and to provide oversight for civil society organizations.

There are many ministerial level guidelines for the implementation of social accountability mechanisms including citizen's charters, social audits, public audits and public hearings issued by Local Authorities, the Ministry of Education, the Ministry of Health and Population, and the Ministry of Local Development. There is also the Minimum Conditions and Performance Measures for the performance of local bodies.

However, even though Nepal has an impressive range of laws and regulations in place, it does not mean that they are observed or implemented. Important tasks for those involved in social accountability is to make sure that (a) people know what useful and supportive laws exist, and (b) make sure that they are implemented.

## **b. The Social, Historical and Political Context**

Nepal's peace process since 2007 has been fragile and uncertain: there is a prolonged political deadlock and an increase in "identity" politics which has resulted in weak governance, and low government capacity on the ground.

Political parties have become an important element in the governing of Nepal, and this has led to an increase in

patronage, and patron-client relations. There have been no elected officials at the local levels and a new institution, the All Party Mechanism composed of officials of political parties, now has considerable power at VDC and DDC levels and have taken resources at those levels from government budgets with impunity.

The financing of political parties has affected both national and local government. In spite of laws to the contrary, no political parties have ever shown their accounts publicly. Political parties have illegally taken funds from government programs and have extorted funds from individuals and businesses.

Political parties have also politicized the civil service, the police force, and large numbers of CSOs, NGOs and even CBOs - right down to User Groups.

All of this builds on a long tradition of feudalism, which has been translated into building power by “new feudals” in the political parties, the executive, and the bureaucracy.

Citizens, unfortunately have to use personal connections and bribery to get things done, with bureaucrats deliberately withholding information, making unnecessary delays and inaction in order to assert their power over ordinary citizens. Not surprisingly such behavior is reinforced by traditions of class and caste, such that socially excluded people are treated worse.

### Example of Social Accountability in Palpa - using existing laws and regulations

*The Women's Welfare Association in Palpa stresses the importance of information sharing and communication in strengthening citizen state relations. Their advocacy on citizen charters has allowed citizens to come prepared with the relevant papers to the VDC office and has empowered citizens to refuse to pay additional fees by reference to the citizens charter and the costs it makes public*

*The social audit of a sub-health post has helped citizens to understand which medicines are available free of cost and has led to public commitments by health post staff to keep to office hours.*

### 3. Who is Promoting Social Accountability in Nepal?

In general, we can say that this role has been played in the past, and is being played in the present, by Civil Society Organizations, the Media, and by selected Government Institutions. However, there are limits on all these organizations which need to be clarified.

#### **a. Civil Society Organisations**

We use this term to mean all the different ways that citizens associate together for purposes which are not-for-profit, and which are non-government. In Nepal this means a range of organisations from historical community level associations (like guthi), through community based

organizations that have been introduced by others (User Groups, Tole lane Organisations, mothers clubs, self-help organizations, small farmers cooperatives, savings and credit organizations) right through to larger, more formal NGOs that are national and sectoral and very dependent on foreign funds. Some CSOs are federations of associations from village to national level - like FECOFUN or FEDWASUN.

There are huge numbers of CSOs in Nepal - on paper, but many of them are either inactive, or are only active if they can find some donor funds.

Historically CSOs have mobilized citizens and taken collective action for some notable achievements - like the Women's Rights Movement of 2002 for amendments to Muluku Ain, and the Movement to free Kamaiyas in 2000. CSOs also played a crucial role in 2006 in re-establishing democracy and facilitating a dialogue between conflicting parties.

It is, however, the Federations of Users Groups and the CSOs that have been formed or supported by International NGOs (INGOs) (like Action Aid, DANIDA - Hugou, CARE, Save the Children, Wateraid, United Mission to Nepal, Helvetas and Swiss Development Corporation - SDC) that have been most active in social accountability. One of the most effective has been Pro-Public with support from SDC which has promoted and institutionalized public hearings in Nepal.

CSOs are very well placed to be key actors in promoting social accountability, but they do have the following problems which need to be addressed before they can realize their potential:

- » Infiltration and takeover by political parties
- » A lack of accountability themselves to the public - they rarely provide information on their financial accounts
- » A lack of public trust and accusations of “dollar farming”
- » Elite capture where too many CSOs are run by older, male, upper caste people

## **b. The Media**

There are 514 newspapers that regularly publish, 25 registered TV stations, and 285 radio stations. Many of these are frequently involved in issues and topics of social accountability themselves, or broadcast the work that others do in this field. There are also networks of investigative journalists who are always interested in digging for what is hidden.

Community Radio has also been playing a key role in increasing the flow of information as a whole; and in enabling citizens to receive increased and more accurate information about the responsibilities, plans, and budgets of national and local governments. Community Radios have also been important in building relations between citizens

and the state by providing forums for the sharing of views and information.

Many of the same problems as with CSOs, however, occur with the media. They are accused of being:

- » Influenced or infiltrated by political parties
- » Dominated by elites

### **c. The Government**

As mentioned before the Ministries of Education, Health and Population, and Local Development all enthusiastically promote public hearings, social audits, and public audits of Government programs. The Ministry of Local Development has, moreover, set up the Local Governance and Community development program (LGCDP) which combines funding with capacity building in social accountability. Critics have suggested that such efforts frequently become bogged down in bureaucracy and become a one way process of government defending its actions, rather than a two way discussion on accountability.

## **4. What is PRAN Doing?**

1. PRAN is holding orientation workshops all across the five development regions of Nepal for selected CSOs who are interested in social accountability. In these workshops, participants are introduced to social accountability, to the three themes of Public Financial management, Municipal Governance, and Public service Management, and are

assessed as to what levels of training they require. This is being managed by Pro-Public.

*Example of lack of Social Accountability  
- in many different places*

*Most VDCs have a budget for rural roads, and these roads are meant to be constructed by local people in the area, thus giving employment to local people. In fact most of these rural roads are constructed using bulldozers, which give little employment to local people. The bulldozer owners connive with the local VDC to make a report on roads constructed with local labour. It is a common form of corruption, and has not been generally acknowledged.*

2. PRAN is providing funds to CSOs interested in social accountability on the basis of competitive proposals. These are of two kinds - for CSOs to practice what they have learnt, and for CSOs already working in social accountability to expand their work. This is being managed by CECI.

3. PRAN has contracted with 4 Nepal partners to carry out its work:

- » Pro-Public for training and capacity building
- » CECI for grant making
- » SAP Nepal for knowledge management
- » TMS/IIDS for monitoring and research



## 5. What will PRAN Do?

PRAN will offer the CSOs that have been through the orientation workshops the opportunity to receive training in social accountability, the opportunity to receive literature about social accountability, and the opportunity to join networks of like minded CSOs on social accountability. CSOs will be taught how to use social accountability tools and mechanisms.

PRAN is also interested in Training Trainers so that it can build a cadre of professionals in this field. Some of the training will be in Nepal, learning from the best, and sometimes in other countries which have something to teach Nepal.

PRAN's thinking is that social accountability flows through three principles, each of which is linked to different tools and mechanisms:

The first is **Information**. Citizens need to get access to information about those things that control their lives. They can then demystify it and pass it on to others. If they do not know what their entitlements are in terms of service standards, laws, policies, budgets - then they do not know if they have received what is due to them, what is working, and what is not working.

The second is **Government with Accountability and Integrity**. Citizens need to know how government works at different levels and how it does not work: who takes decisions, how decisions are applied, what space there is for citizen's involvement. Citizens also need to know whether they can trust the government to work in the ways that it is meant to work, or whether there is a large gap between what they say and what they do.

The third is **Participatory Development**. Citizens need to work and plan together and make sure that they have a say in any development that affects them, and that any development initiatives respond to their needs.

If they have information and knowledge of government, then they can plan together how to make Nepal a better place, particularly for the poor, the marginalized and the socially excluded.

## 6. The 3 Principles, 3 Objectives and 20 Activities of PRAN

### 1. Information

**Objective:** Citizens know their entitlements

#### **Tools and Mechanisms:**

- » Citizens charters
- » Check lists of entitlements
- » Village and District budgets
- » Right to information laws
- » Check of list relevant laws, policies, regulations

### 2. Government with Accountability and Integrity

**Objective:** citizens know how government works and doesn't work

#### **Tools and Mechanisms**

- » Civic education about how government structures and policies work at national, district and village levels
- » Public expenditure tracking
- » Check list of standards and indicators
- » Citizen score cards
- » Public hearings
- » Public audits
- » Public revenue monitoring
- » Citizen complaint structures

### 3. Participatory Development

**Objective:** citizens know how to present their own views and plans

#### Tools and Mechanisms

- » Multi-stakeholder groupings (user groups, federations)
- » Participatory planning
- » Participatory budgeting
- » Community led procurement
- » Declarations of assets
- » Understanding conflict of interest
- » Integrity pacts

## 7. Learn More

If you want to learn more about PRAN and its partners, please get in touch with:

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