

ACCOUNTABILITY IN GLOBAL ENVIRONMENTAL GOVERNANCE - WORKSHOP REPORT

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Acknowledgements

This workshop is part of an international collaboration of leading scholars in the sub-field of global environmental politics, led by Teresa Kramarz in the University of Toronto, and Susan Park in the University of Sydney.

We established this network to promote collaborative research on the concept of accountability in global environmental governance. We bring together scholars with intimate knowledge of key environmental regimes (e.g. air, water, forests, energy and climate) along with scholars of global institutions (e.g. the United Nations Environmental Program, the World Bank, International Conventions' Secretariats), and local initiatives. We envisage creating a unified approach to tracing accountability across global environmental governance, which can be applied by scholars and policy makers working in different issue areas or institutions.

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Workshop Participants

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Michelle Scobie	University of the West Indies
Ruben Zondervan	Lund University
Susan Park	University of Sydney
Teresa Kramarz	University of Toronto

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Workshop Structure

The one day workshop was divided into two sessions, one empirical and one conceptual. In the first empirical session, we invited scholars to choose whether they wanted to be part of the group (A) that explored accountability from the “ground-up” or part of group (B) that examined top-down accountability at the level of international institutions or inter-state treaty negotiations.

We specifically wanted to look at these scale-based approaches to accountability based on the workshop participants’ research histories and interests. This is not to suggest that this is the only way to approach the research we have or are conducting on AGEG. Many scholars are looking at what happens in trying to meet sustainable development goals on the ground while others are deeply immersed in understanding the dynamics of inter-state treaty negotiations - hence dividing the groups this way. Those participants who felt their research was more theoretical were invited to choose, based on what they might want to contribute to the discussion, group A or B.

Both groups selected a rapporteur who summarized their discussion to the rest of the workshop participants before the meeting together in a plenary for a conceptual discussion.

In the second session we explored the conceptual approaches to accountability. Here, we sought to structure the conversation around Michael Dowdle’s framing of accountability along the following dimensions:

1. To whom is accountability directed?
2. Who provides accountability?
3. For what is there accountability?
4. What process demonstrates accountability?
5. What standards exist to demonstrate accountability?
6. What happens when there is a failure to meet these standards?

The workshop ended with a discussion on next steps in terms of research plans, and meetings of this research group.

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First Session – Group A: Bottom-Up Approaches to Accountability

The bottom-up session started the conversation by examining how accountability matters to global environmental governance at the level of project implementation. The discussion circulated around perspectives on accountability such as “accountability disorders,” principal-agent theory and capabilities. Ultimately, the participants challenged the appropriateness of a bottom-up approach to understanding accountability because they did not think of accountability in terms of implementation versus multilateral governance.

A question on whether accountability is contractual spring-boarded this panel into considering accountability disorders. Participants discussed accountability disorder theory, summarized as how organizations like NGOs with multiple accountability disorder (MAD) can suffer from being committed to too many stakeholders, which causes actors to freeze. MAD contrasts with Single Accountability Disorder (SAD), where an actor is too accountable to a single stakeholder (often a funder). This provoked additional discussion on how NGOs are often doing jobs that states would ‘normally’ do, and that the expertise NGOs provide is not value free.

The group also discussed the usefulness of principal-agent theory in understanding or explaining accountability in environmental governance. Participants were split between those who found it useful and those who did not. Some found principal-agent theory useful to understand organizations such as USAID where people at different levels of hierarchy had different perceptions of to whom they were accountable. Others noted that one of the shortcomings of principal agent theory is that it excludes actors who are not formally included but can act to strengthen accountability (often indigenous people, or NGOs). There seemed to a consensus about the idea that there are some contexts in which principal-agent theory can be helpful in describing chains of accountability, but that this generally represents only a starting point for scholars researching accountability.

The discussion then turned to capabilities-based approaches to achieving accountability. A participant described conceiving of accountability as a corrective action on actors whose actions harm stakeholders. He gave the example of garbage collection in Kampala where limited waste was collected and most of the investment in the system was lost to corruption. However, citizens were given a means to report by cellphone when garbage was not being collected. This enabled people to hold the collection service to account which improved garbage recovery.

This led to a discussion on the importance of legal structures around accountability. Some participants noted that people’s capabilities to access legal structures could be an important source of empowerment (or a barrier) depending on whether people can afford to use legal systems when they are harmed by a project. Discussions of accountability also surround legal structures, such as the Right to Food in India, where informal collective action holds the government accountable

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when starvation begins. Legal structures shape accountability by typically framing it in terms of laws, social impact assessments, and environmental assessments.

The participants noted that research on accountability must be sensitive to how people's ideas about accountability are and not what outsiders think they 'should' be. Qualitative research regularly upsets common-sense ideas about what accountability means in practice. For example, a participant discussed how people living near the port in Jakarta kept returning to the area to live despite the risk of flooding. They prioritized future income over the risk of flooding.

Another tension that could help frame future research in accountability is how environmentally sound programs are often in conflict with political legitimacy. A participant discussed this in the context of how programs to re-settle people often make environmental sense, but are not politically legitimate. These programs are most often orchestrated by people who do not live in these affected areas.

The discussion ended on the comment that accountability mechanisms and discussions do not yet adequately include accountability to species, future generations, or a viable global environment.

First Session – Group B: Top down Approaches to Accountability

The top-down discussion questioned the role of accountability in environmental governance at the level of multilateral negotiations and international institutions. Participants' conversation circulated around the role of accountability in environmental governance, the usefulness of principal-agent theory, and how to define accountability.

Accountability's role in multilateral governance was discussed in the contexts of its importance, the history of demands for accountability, the relationship between accountability and compliance, and between accountability and responsibility.

Participants began discussing how accountability is seen as an issue of second order importance when designing programs, while effectiveness is a first order concern for many international institutions. They described how accountability matters because responses to climate change for example are not a given, nor apolitical such as REDD+. Accountability's relationship to effectiveness depends on the issue. It is not necessary to have accountability in order to secure effective action. In fact accountability can run at cross-purposes with effective action. For example, the Comprehensive Nuclear Test Ban Treaty has been relatively successful without much accountability. On the other hand, a regime such as climate change, which discusses who should be accountable for what, has been ineffective at mitigating climate change.

Participants noted that demands for accountability have increased substantially in the last 30 years. Some suggested that the agility and availability of electronic communications have

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influenced the growth of demand and supply of accountability. For instance, in the context of the World Bank, the Internet facilitated communicating and organizing a greater demand for accountability by aid recipients and the Bank perceived the reputational risk of failing to do so.

Participants also suggested the need to delve more deeply and to understand the history of accountability noting its relationship to responsibility. There are some issues where states should be responsible rather than just accountable. A participant suggested thinking about accountability and responsibility in terms of the difference between 'shall' and 'should' commitments.

Principal-agent theory was also discussed as a way to approaching chains of accountability. Principal-agent theory was seen as relevant to understanding the relationship between Conferences of the Parties (COPs) and Secretariats (where the COPs are principals, and Secretariats are agents). For instance, there have been cases when the UNFCCC's Secretariat tried to push the boundaries of what it could do and it faced push back from the COPs. The World Bank Global Environmental Facility (GEF) was discussed as an example of an institution that is simultaneously the agent and principal. Participants noted that when COPs goals are too narrow, compliance decreases - which is why COPs can give broad implementation goals so there is freedom for other actors to choose how to most effectively make them operational on the ground.

The conversation shifted to how accountability is defined in practice. Some participants noted that accountability is operationalized through tracking numbers (e.g. successes, money, etc.), which allows bureaucracies to define how they will and should be accountable. However, focusing on quantifiable successes can obscure other challenges (such as the right of indigenous people to free, prior, and informed consent). Furthermore, definitions of what gets counted shape broader policy. The example discussed was when UNDP switched from measuring GDP to HDI to quantify development, and how this shifted the conversation and practice of what counted as 'development.'

Second Session Plenary: Conceptual Discussion

The conceptual discussion sought, through consideration of accountability's core components, to generate further clarity on this important issue for a range of debates in global environmental governance. Participants began by acknowledging that definitions of accountability are inherently contested. However, it was agreed that accountability is linked with authority and responsibility, entailing the granting of a mandate to act and, therefore, a locus at which to assign responsibility. In this context, participants discussed accountability as pertaining to a principal-agent relationship.

Participants discussed the dimensions and variables of accountability. There was broad acknowledgement that accountability mechanisms can be explicit and direct, but they can also be indirect and difficult to observe. There was, further, recognition that accountability can be expected from and directed to many different actors, such as states, sub-state governments,

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international agreements and various bodies thereof, multi-national corporations, shareholders, investors and non-governmental organizations.

Five themes emerged throughout the plenary discussion: the importance of context in conceptualizing accountability; the purpose of accountability; the relational nature of accountability; accountability as it relates to power, authority, legitimacy and voice; and accountability as linked to outcomes.

Accountability and Context

Participants sought to understand the growth of accountability within the context of historical demands for greater accountability in global environmental governance. This context could have implications for understanding the purpose of accountability. In this regard, research programs might seek to uncover who articulated demands for accountability in global environmental governance at what point in time, and for which purposes. Relatedly, participants considered whether the current surge in popularity of accountability as a goal is directing and shaping global governance.

Participants asked whether it is possible to conceptualize accountability outside of a specific context, or absent its purpose.

Purpose of Accountability

The purpose of accountability surfaced, explicitly and implicitly, as a central theme of the discussion. In this regard, two cleavages emerged: whether accountability is an intrinsic or instrumental good and whether theorizing accountability is an explanatory or normative project.

Does Accountability have Intrinsic or Instrumental Value?

First, participants discussed whether accountability has intrinsic value in addition to serving as an instrument by which to attain other goals – such as ensuring effective implementation, securing a positive outcome or constraining the behavior of decision-makers. Many participants expressed support for the view that accountability bears intrinsic as well as instrumental value.

This question is important to understanding the purposes of accountability. For example, if accountability is of instrumental value only, one must identify the purposes for which to hold an actor to account. If, on the other hand, accountability has an intrinsic value, the process of an actor defining its accountability may be important even if this does not contribute to improving the efficacy of actions undertaken by that actor or producing an improved outcome. Moreover, participants asked whether, if one accepts intrinsic value to accountability, it is of second order importance in light of other policy imperatives. If the purpose of accountability is intrinsic, is it an extravagance that can be eschewed when it compromises pressing policy imperatives? Is it of

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second order importance, subordinate to other first order goals such as effectiveness? On issues like climate change, is there “time” for accountability?

Is the Purpose Explanatory or Normative?

Second, participants discussed whether accountability ought to be theorized primarily as an explanatory tool or if it forms part of a normative project. This remained an open question. However in regards to a normative agenda, participants discussed if this primarily relates to inclusion – voice, or consent – in decision-making processes or the production of positive outcomes. If accountability is meant primarily to encourage positive outcomes, participants highlighted a further question: who defines the public good? Discussion on defining the normative elements of accountability prompted a further question: in the context of accountability in environmental governance, does it matter whether one takes a rights-based or duty-based approach?

Accountability as Relational

Building from the discussion on purposes of accountability, participants posited that it is a relational concept encompassing many actors, and indirect relationships.

They asked whether accountability changes – in terms of the content of its requirements, if not in meaning – according to the point in the policy process to which it applies and the actors involved. There was acknowledgement that accountability emerges at each stage of the policy development process, though not necessarily in linear fashion.

The group suggested that the metrics for evaluating accountability are context-specific and become clear by assessing power relationships and claims. Further, incentives and legitimacy are important dimensions of relationships of accountability. Incentive alignment is required in order to make accountability work.

For much of the discussion, accountability was conceptualized as part of a principal agent relationship. For the agent, accountability can be seen as linked with authority and mandate; participants noted a deficit of accountability where an agent undertook decisions beyond the scope agreed to by the principal. However, it was noted that accountability might, equally, be about holding the principals responsible for compliance. It was, further, noted that an actor could simultaneously act as an agent and principal. For example, the GEF demands accountability from the recipients of funds, and as an agent, responsible to donors. Autonomy was cited as a characteristic that may undermine accountability for agents.

Accountability and Power, Authority, Legitimacy and Voice

Participants discussed the importance of recognizing the power differentials in relationships of accountability. Insofar as holding actors to account entails constraining behavior,

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accountability is underpinned by power relationships. In global environmental governance, it often entails competing claims from different groups and, as participants noted, some claims will bear stronger incentives than others, which is evidence of a power relationship.

Participants discussed practical implications of power differentials. Actors who call for accountability have enough power to challenge authoritative actors, but are not sufficiently invested in the status quo to fear changing existing institutions. Actors who are disenfranchised, and likely most affected by the absence of accountability, usually struggle to find any legal standing on which they can argue for greater accountability.

Participants also highlighted that accountability is associated with legitimacy. Legitimacy is often perceived or offered as an incentive to give account of one's actions. Actors seek to fulfill demands for accountability in order to preserve legitimacy, often as a means to raise their status or maintain authority in a given sphere. For example, participants noted that cities are asking to be accountable for the CO₂ emissions caused by urban processes. In this case, these actors want to be held accountable for action on climate change so they can legitimately gain access to resources to reduce their CO₂ emissions and be part of the agenda setting conversation in global environmental governance. In this sense, cities ask that accountability demands be placed on them as a channel to enhancing their legitimate role as global actors.

Returning to the principal agent discussion, participants said that, for the agent, accountability is also linked to legitimacy. Without accountability mechanisms, the agent is unlikely to demonstrate compliance, and face challenges from the principals. This issue was discussed in the context of the UNFCCC COPs.

Finally, participants sought to disentangle the concepts of accountability and voice, positing that accountability may be a top-down expression, and voice a bottom-up expression of the same phenomenon. Alternatively, voice may be considered a component of accountability. Continuing on this line of thought, participants considered how the introduction of new voices into a policy process might have implications for the nature of accountability mechanisms. For example, new grassroots actors might be less supportive of existing processes and demands of accountability mechanisms.

Accountability and Outcomes

Throughout the discussion, participants raised concerns pertaining to outcomes – efficacy, compliance, and results – and whether accountability should be seen as furthering or undermining these imperatives. Participants asked, if accountability is oriented towards aims other than producing positive results (for example, improving voice), whether it should be seen as an obstacle to securing action on pressing global environmental challenges such as climate change. To this question, the group acknowledged that the process by which accountability is undertaken affects the level of accountability achieved and whether this accountability encourages a positive outcome. In certain cases, actors being held to account may seek to fulfill demands for

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accountability, or devise workarounds for accountability, in ways that undermine the public good. For example, the focus on expressing accountability via reporting requirements rather than efficacy measures may be a negative development for global environmental governance.

Next Steps

The group discussed future meetings, and production of a special issue and/or edited volume. In order to coordinate joint publications, participants considered submitting a workshop and a panel proposal for the next ISA meeting in 2015.