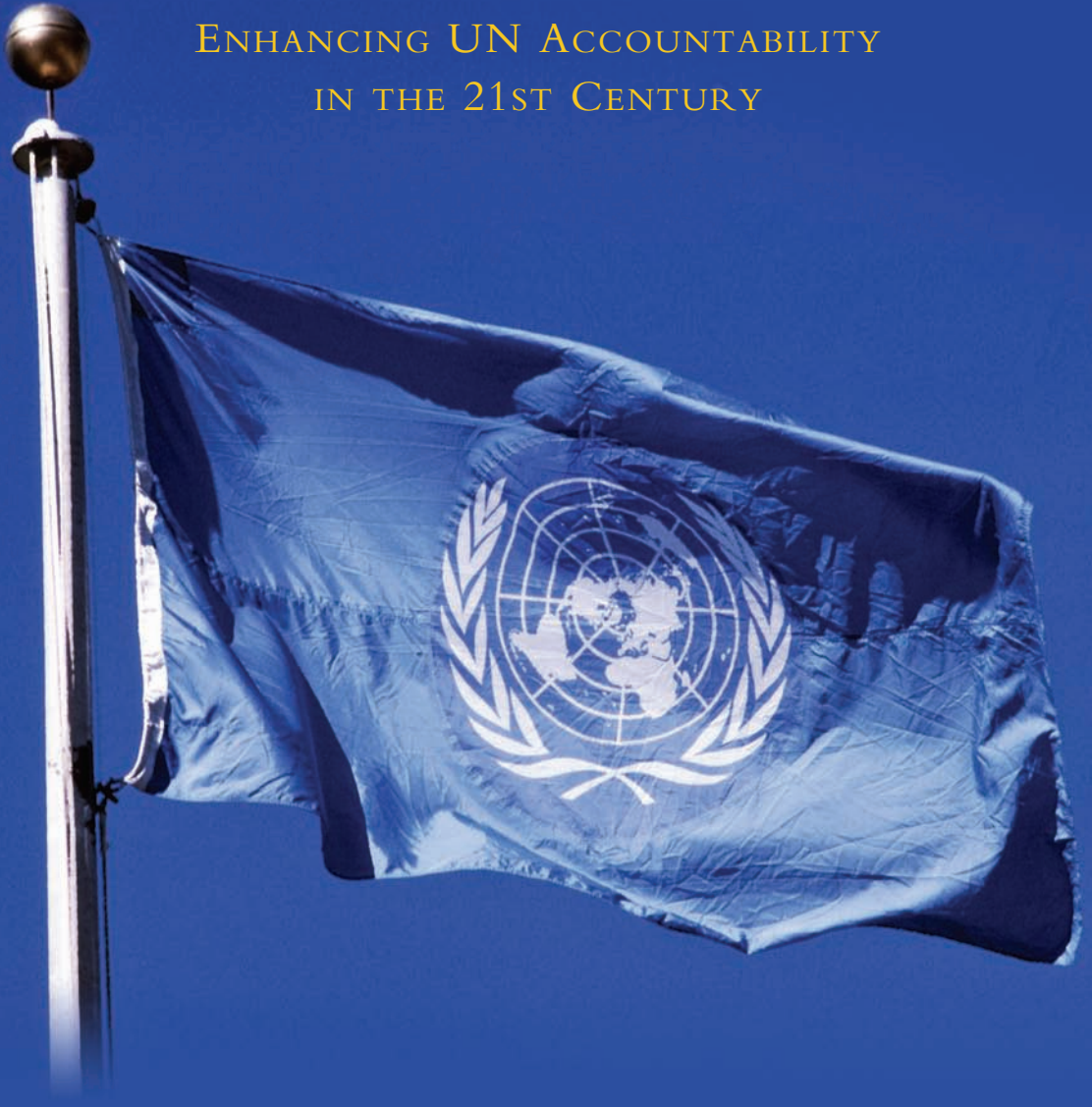


ENVISIONING REFORM

ENHANCING UN ACCOUNTABILITY
IN THE 21ST CENTURY



EDITED BY

Sumihiro Kuyama AND Michael Ross Fowler

Envisioning reform:
Enhancing UN accountability
in the twenty-first century

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Introduction

Sumihiro Kuyama and Michael Ross Fowler

In the face of the numerous global challenges existing in the world today, promoting more effective global governance has come to the forefront of the international agenda, and the UN organizations are expected to play a key role in the way international affairs are managed. As a vital precondition, however, UN organizations must themselves improve their efficiency and effectiveness. In this context, and in the context of UN reform in general, a growing demand has been placed in recent years on enhancing, among other items, the accountability of the UN organizations.

The UN General Assembly, for instance, has adopted a number of relevant resolutions, including resolution 60/260 in which it emphasized the importance of strengthened accountability in the Organization and of ensuring greater accountability of the Secretary-General to the Member States, *inter alia*, for the effective and efficient implementation of legislative mandates and the best use of human and financial resources. In addition to these resolutions, the former Secretary-General Kofi Annan, at the conclusion of his annual report presented to his last General Assembly session (September 2006–August 2007), reiterated the importance of accountability by stating that the Organization can become stronger and more effective only if it is better managed and more clearly accountable. Likewise, Secretary-General Ban Ki-moon clearly emphasized UN accountability upon taking the oath of office,¹ and he has been committed to strengthening accountability since then.²

It is noted that this attention from within the Organization reflects dissatisfaction and criticism from without. Close observers have long argued

that the Organization is unaccountable, or at least insufficiently accountable. Thus illuminating the contours of the subject of UN accountability in a comprehensive manner, describing in particular its problems and future policy direction, is a vital step to productive analysis of a common body of issues leading, eventually, to useful recommendations for reform.

Since, to date, the concept of UN accountability has often been rather loosely employed and only infrequently defined, development of more robust analysis of this important subject would certainly be of great value to both practitioners and academics concerned with UN accountability.³ To contribute to this, the United Nations University (UNU) initiated a project to study, evaluate and eventually make tangible and practical recommendations concerning UN accountability. As a first step, in October 2006 the UNU convened the Tokyo Symposium on Accountability, followed by another public forum in November 2007 in New York to keep up the momentum originated in Tokyo. These brought together an array of relevant academics and practitioners to explore what different approaches to UN accountability might be found within diverse disciplines and practices, and to see whether a common approach to accountability, including its definition, is feasible in the UN context as the basis for the ultimate objective of enhancing its accountability. Experts from the World Bank and two other international institutions (the European Union and Asian Development Bank) were also invited to share the experiences that their organizations have had with their respective efforts to enhance accountability.

This volume is the upshot of the Tokyo symposium, but stimulated by the symposium discussions, with each author reflecting further and refining their thoughts in order to turn their contributions into the chapters herein. The book thus aims, in the main, to fill out the current understanding of the conceptual matters relating to accountability as it may apply to the United Nations, together with relevant practices and experiences for enhancing UN accountability. The chapter authors, drawn from an assortment of academic disciplines and with an array of practical and scholarly experiences in relevant fields, were asked to reflect on the problems and possible policy directions or approaches for UN accountability, to analyse particular aspects of accountability or to examine the concept in the related contexts of other international organizations that have wrestled with accountability concerns. While the authors hail from a number of different countries, this volume also aims to add to the English-language literature the perspectives of noted Japanese scholars and practitioners, and various of the chapters reference Japanese contributions to or perspectives on UN reform in general and accountability issues in particular.

It is to be noted here that, in light of the divergent views, approaches and perspectives on an array of issues related to accountability, no attempt was made to adopt an a priori common approach for all the chapters with regard to basic issues such as the definition of the term. Instead, the matter was left to each author to present on the basis of his or her own perspective to see, as referred to already, if a common ground⁴ could be found to help to facilitate meaningful debates and policy formulations for strengthening the accountability of the UN system organizations to improve their relevance, efficiency and effectiveness. In the conclusion we then trace the basic convergence on the definition of accountability that eventually may have emerged.

With that background in mind, and before introducing the outline of this book, we here briefly discuss some matters, primarily conceptual, that are further elaborated in the chapters that follow: the definition of accountability, the question of who bears accountability for what and to whom, and the distinction, in the main, between managerial accountability and political accountability in the UN context.

The concept of accountability

Despite frequent use of the term, *accountability* is an “elusive concept whose meaning and characteristics differ depending upon the context”.⁵ This is certainly true in the UN context, and, as Edward Luck observes in chapter 1, “there is no generally accepted understanding of what accountability entails or how it could best be measured, assessed or instilled in the Organization”. It could be noted in this context that divergent views and opinions on the concept of accountability would depend, to a large extent, upon differences among the academic disciplines and perspectives of public administration, political science, international relations, international law and others.

Nevertheless, it is commonly enunciated that, at least from the perspective of democratic theory, a few factors, especially *authorization* (besides, for instance, *support* and *impact*),⁶ constitute a foundation for accountability. Namely, an individual, group or organization entrusted with some financial, human or other resources ought subsequently to give an account of the use (or non-use) of the resources. Here, existence of a superior authority is presupposed, even if implicitly, in the form of the one that provides the resources (in addition to guidance and direction). Of fundamental importance for grasping properly the concept of accountability in the UN context is to recall that government representatives, in adopting the UN Charter, are assumed to have acknowledged, even if tacitly, the authority of “a global demos”, that is, “the peoples of

the United Nations”.⁷ As alluded to already, Secretary-General Ban Ki-moon, in his address on taking the oath of office, declared “Ultimately, we are all – Secretariat and Member States alike – accountable to ‘we the peoples’.”⁸

Having noted these fundamental points, however, inevitably discussions on the question of accountability in the UN context quickly become more complicated. For instance, not only is the UN system fragmented and immense in the size and scope of its activities, but it contains a number of distinct power centres, including the Member States, the legislative organs (Security Council, General Assembly, etc.) and the specialized agencies (see chapter 2).

Furthermore, the norms to be used in bringing the distinct parts of the UN system to account are not well defined, particularly with respect to the more politicized dimension of the Organization. How exactly might the Security Council be made more accountable to the General Assembly or to the rest of the Member States? Who is accountable for the security of UN peacekeepers and civilian personnel posted to dangerous parts of the world? Who ought to be brought to account when the United Nations fails to act, and what are the standards to be used in situations of non-feasance as well as misfeasance? These and many other specific questions remain contentious and not yet clearly answered.

Moreover, within the UN system use of the term accountability has too often been accompanied by negative connotations. Within this highly political organization, accountability has itself often become politicized and caught up in larger disagreements between North and South, and the discord sometimes evident among the Security Council, the General Assembly and the Secretariat. If approached positively and constructively, accountability could help to create a climate conducive to needed changes in organizational culture. It could alter the way that people act and interact, the ways in which things get done.⁹

At present, however, observers find very little positive to say about accountability at the United Nations. It is generally agreed that the Organization should be brought to account, in Edward Luck’s phrase, “for its failure to act in some cases, as well as for its wrong choices, ill-conceived strategies, or failed implementation in other instances” (see chapter 1). More specific examples abound. For instance, the Independent Panel on the Safety and Security of UN Personnel in Iraq noted “a major deficiency identified . . . is the lack of accountability for the decisions and positions taken by UN managers with regard to the security of UN staff”.¹⁰ Similarly, the Independent Inquiry Committee concluded, “The Oil-for-Food Program overtaxed the UN’s fragile oversight and accountability mechanisms, revealing significant flaws that urgently need to be addressed if confidence in the United Nations is to be restored.”¹¹

The common thread that links together such comments is the perception that there exists, at the United Nations, an accountability “deficit” or “gap”, defined as a gap between a valid claim for accountability by, for example, a certain deserving group and the actual practice by an entity that ought to be accountable.¹² The former party could be termed the *accountability holder*, who is holding someone else accountable, and the latter could be the *accountability holdee*.¹³ In such a complex system as that found in the United Nations, a leading issue is that accountability holdees have often failed to assess carefully what has occurred, and even less frequently have they communicated a comprehensible report to accountability holders. Under the circumstances, closing or narrowing such an accountability “gap”, or enhancing accountability, is a key element of effective UN reform.

Managerial accountability and political accountability

To facilitate consideration of accountability in the context of the UN organizations, we believe it is advisable to divide the subject into two broad clusters of notions: managerial accountability and political accountability.

The term *managerial accountability* – a management norm sometimes also referred to as *internal accountability* – may be familiar to students of business or public administration, and could be defined, in the most general and simple terms, as accountability relating to managerial functions within public or private entities or organizations.¹⁴ More specifically, managerial accountability in the context of the UN system is focused upon accountability of those provided with delegated authority (i.e. Secretariat officials, including executive heads such as the Secretary-General), and holding them accountable *for* the actions (or the lack of actions) taken in accordance with given mandates or responsibilities with respect to programmes and financial, human and/or other resources, as well as *for* the performance and the manner in which the related resources were managed.

Management ought to occur in an ethical, transparent, efficient and non-corrupt manner. A key component of effective managerial accountability, however, involves delegation of authority in the Secretariat. Given a proper delegation of authority, managerial accountability is applicable at all levels, from the executive heads down to lower levels of managers/staff members, and it is imperative that the accountabilities of all officials in the Secretariat be established in an unambiguous manner with due regard to the line-management structure.¹⁵ While the Oil-for-Food Programme has been cited as a most notorious example of problematic managerial accountability in the United Nations in recent years,

persistent questions have been raised as well with respect to managerial problems in various peacekeeping missions and within an array of other UN programmes, agencies and offices. Furthermore, it may be worth noting that the so-called oil-for-food scandal contained an element of a lack of adequate legislative oversight in addition to managerial weaknesses, a point raised later.

Meanwhile, *political accountability* focuses upon the need for an organization to account for its behaviour, such as decisions made and actions or inactions taken, to the constituencies and stakeholders that are impacted. How wise and effective have the organization's policies and mandated programme actions been to achieve the intended objectives and results? *Political accountability* could be described, in general, as organizational accountability; that is, it encompasses the accountability of legislative organs (member states) and secretariats to relevant constituencies and stakeholders. These would include, ultimately, the "peoples of the United Nations", but more specifically they would be comprised of any groups or individuals significantly affected by decisions made and actions or inactions taken by the United Nations – as Edward Luck put it, "by what it chooses to do or not to do, as well as by how well it does it" (see chapter 1).

An important feature inherent in making the United Nations more politically accountable is a participatory factor. Namely, the political accountability of the Organization could be enhanced if *relevant* stakeholders that are affected in major ways by a particular decision, programme or action were involved, directly or indirectly, to the extent practically possible, in decision-making processes, i.e. in devising or revising the policies and mandates of the organizations in the UN system.

To date, apart from the multilateral development banks (such as the World Bank and the Asian Development Bank), just a few organizations in the UN system have adopted the practice of involving non-state stakeholders (i.e. stakeholders other than government representatives) in decision-making processes, even indirectly. These include the International Labour Organization (ILO), which has traditionally maintained a tripartite system – that is, a system of its governing body being composed of governments, employers and workers – and UNAIDS, the Joint UN Programme on HIV/AIDs, which operates its governing body (Programme Coordinating Board) with the participation of an array of stakeholders, namely representatives of five NGOs (including associations of people living with HIV) in addition to 22 governments and 10 UNAIDS co-sponsors. Furthermore, the UN Commission on Sustainable Development (CSD), a functional commission of the UN Economic and Social Council (ECOSOC) consisting of 53 Member States, provides space for

the participation in its meetings of non-state actors, with the overall purpose of informing the Commission's decision-making processes.¹⁶

Political accountability and managerial accountability are functionally distinct. However, both of the key actors in the UN context, the secretariats and the legislative organs (Member States), are involved, or should be involved, in both varieties of accountability, sometimes in the intricate manner indicated below.

With respect to the functions under political accountability, the legislative organs are primarily accountable for the mandates established (as well as the results achieved). However, the reality is more complex than such a simple statement suggests. In many instances, a mandate is established on the basis of, or by selecting, a certain policy from a basket of policy options, which *de facto* the secretariats more often than not prepare, with or without delegated authority. Thus, although the policies of the UN organizations are supposed to be formulated, in principle, by the legislative organs, in practice, as one expert has noted, "civil servants do make policy. Typically, they disclaim that they are doing any such thing. They insist that they are merely filling in the administrative details of overall policies established by their political superiors."¹⁷

With respect to the functions under managerial accountability, the secretariats themselves are mainly accountable for various management functions, including management concerning the implementation of authorized or mandated programmes. Nevertheless, legislative organs are also expected to perform legislative or governance oversight, meaning that the Member States oversee the secretariats in their management or implementation of the mandated programmes, assisted often by oversight mechanisms.¹⁸

What one could conclude from this is that legislative organs (Member States) and secretariats (as well as oversight mechanisms) have a "shared responsibility"¹⁹ in strengthening the accountability of the UN organizations. This further underscores that, while distinguishing between managerial and political accountability may be analytically useful, there exists a legitimate need to treat both varieties of accountability in a comprehensive and holistic manner to enhance UN accountability.

A final introductory point concerning political accountability is that one finds the term used, in general, more or less interchangeably with democratic accountability, as referred to, for instance, in a paper by the US Agency for International Development (US AID).²⁰ However, a number of the authors in this volume take issue with that usage, and suggest that the concepts ought to be distinguished from one another. For instance, Tatsuro Kunugi asserts that political accountability is broader than democratic accountability, as elaborated in chapter 9. Michael

Reiterer suggests in his chapter that the term democratic accountability is used instead of political accountability when the *democratic* element is emphasized over the political process. Kazuo Takahashi is also in favour of using the term democratic accountability for the purpose of the analysis of the issues that are of concern in the context of UN reform, as indicated in his chapter. On the other hand, among other authors in this volume, Edward Luck argues forcefully in his keynote chapter that the term *political accountability* ought to be preferred to *democratic accountability* on the grounds that the former is “value-neutral”. Pending further consideration of the matter, the term *political accountability*, defined broadly as accountability applicable to any kind of political form including, of course, democratic accountability, is used in this book unless the term democratic accountability (instead of political accountability) is used explicitly by the authors in a specific context.

Outline of the volume

The initial keynote contribution by Edward Luck provides a substantive overview of the question of accountability in the UN context, observing first of all that the credibility of the United Nations depends on a concerted effort to repair the deficits in political and managerial accountability. While Luck sees some modest progress in improving managerial accountability in the wake of the oil-for-food scandal, he declares that “the challenge of boosting political accountability remains little understood and largely problematic”.

Part I: General analysis of accountability in the UN context

The first part of the book lays out certain cardinal issues related to accountability in the UN context: *inter alia*, problems, definitions and conceptual linkages or distinctions between accountability, on the one hand, and terms such as responsibility, legitimacy, etc., on the other. First, political scientist Michael Fowler sketches out the problems that the Organization has confronted in the past and will probably continue to confront in the future in enhancing its accountability. He asks “who in the Organization might be accountable to whom?”, identifies the multidimensional nature of the United Nations and its implications for accountability and suggests that different accountability challenges confront “the United Nations of the Member States” or “the legislative United Nations”, including what he calls “the executive United Nations” (that is, the Security Council as a “core decision-making group”), “the United Nations of the Secretariat” and “the umbrella United Nations”. Then, in analysing

the widespread perception of an accountability gap at the United Nations, he points to the minimal constitutional guidance in the Charter, the lack of a political tradition of accountability, the shortcomings of UN reports and the absence of a well-defined line-management structure. He is also sceptical that further “democratization” of the Organization holds the key to enhanced accountability.

With Luck and Fowler having identified certain of the key problems associated with UN accountability, in chapter 3 Hirohide Takikawa, writing from the perspective of philosophy of law, explores approaches to the central issue of the definition of accountability. After noting the elusive quality of accountability, Takikawa suggests a core definition and then clarifies the concept by focusing on how accountability might be structured and how a process of responsibility might be envisioned. Takikawa finds the essence of accountability in the “obligation to explain and justify one’s actions”. To the three basic questions of “who should be accountable, for what and to whom?”, Takikawa urges that we consider as well “why (on what rule) is someone accountable, and how does he or she explain and justify?” Based on this, he further analyses a number of related conceptual issues, including the relationship between accountability and such concepts as liability, responsibility, transparency, legitimacy and democracy.

Of particular importance in the UN context, Takikawa notes that, in addition to positive laws, custom, practices and political culture may shape accountability rules. To those who would enhance UN political accountability via the increased involvement of those outside the Organization affected by its decisions, Takikawa cautions that, while the term *stakeholder* may be readily defined, it can be difficult to determine who is sufficiently affected by a decision to qualify for inclusion in that category. In applying his ideas to the UN context, Takikawa also notes that accountability processes consume time, money and effort. Becoming overly accountable could cause inefficiencies, just as the lack of accountability could. Thus, while the United Nations may affect the global demos, it cannot realistically be accountable to everyone.

In chapter 4 Jochen Prantl examines, from the perspective of international relations, the question of linkages between UN legitimacy and accountability, taking the Security Council as a specific case and focusing upon a few aspects “that have been understudied”. By legitimacy, Prantl refers “primarily to the justification of legal and political authority exercised by an international institution through its procedures (or input) and output”. He emphasizes the effectiveness of UN institutions in terms of solving global challenges as a precondition for an authority delegated to the United Nations. He also focuses upon the need to allow “a flexible participation of stakeholders” in order to enhance the legitimacy and

accountability of the United Nations. In this context, and on practical grounds, informal or *ad hoc* mechanisms, in particular informal groupings of states (such as contact groups, core groups, groups of friends), are hinted as possible options. Prantl concludes that “adopting less rigid rules and more flexible procedures is the avenue...[to] pursue to make the United Nations...more legitimate and accountable”.

In the final chapter in part I, Kyoji Kawasaki, writing from the perspective of international law, discusses one specific facet of the “multifaceted phenomenon” of UN accountability, namely legal accountability. By referring principally to the work of the International Law Commission in the context of UN accountability, he discusses the concept of responsibility, based on the proposition that “for the purpose of international law, responsibility of an entity arises from the violation of an obligation owed by the entity” and concludes that “in order to get the whole picture...we should look at...the accountability and responsibility of the Member States to the UN organizations as well as to the peoples of the United Nations”.

Part II: Managerial accountability

The second part of this volume focuses on questions of managerial accountability, including the impact of new public management (NPM) on the United Nations. Based on an extensive review of the cases of humanitarian assistance and environmental governance as examples, Tadanori Inomata, in chapter 6, identifies “lacunae” of accountability at the level of the UN system due to a lack of a system-wide management and governance framework. In this context, he also refers to a “lack of intergovernmental ownership in inter-agency coordination”, as well as a “lack of coherence in governance”, and declares that results-based management (RBM), adopted by the UN General Assembly as a basic benchmarking framework, “would not ensure system-wide strategic planning and resource management [which is supposed to facilitate system-wide managerial accountability] unless the governing bodies or the Member States adopt common objectives applicable throughout the UN system”.

In the next chapter, from the perspective of public administration, Hideaki Shiroyama analyses the management methods of the UN organizations, using NPM as a frame of reference. Shiroyama points out that important aspects of the management reforms introduced under former Secretary-General Kofi Annan included the trial “introduction” of results-based budgeting (RBB) (and eventually results-based management, as referred to in chapter 6) and the efforts to manage development via the Millennium Development Goals (MDGs). In this context, and on the basis of extensive empirical research, Shiroyama identifies important

challenges, in particular in evaluation. He notes: “If an international organization is to be managed as a system, conscious and continuous efforts must be made to determine indicators for evaluation. However, indicators are frequently established hastily and without an essential understanding of the activities of the Organization, making evaluation ineffective.” In addition to presenting a number of related recommendations aimed at ensuring enhanced managerial accountability in the United Nations, Shiroyama observes that managerial effectiveness of the UN organizations, including the state of their accountability, actually depends to a substantial extent on the manner in which the Member States behave. Here one can see how the contributions of Inomata and Shiroyama nicely converge.

Also grounding her work in the field of public administration, Ikuyo Hasuo briefly provides a historical review of the evolution of programme budgeting at the United Nations, and then describes the background underlying the need to enhance UN accountability. In this context, she focuses her analysis on the conceptual aspects of managerial accountability. Specifically, Hasuo examines the historical evolution of the sub-concepts of managerial accountability by making reference to J. D. Stewart’s “ladder of accountability” model as a yardstick. She concludes that, at present, the United Nations is at the stage of “performance-based accountability”. Furthermore, based on her analysis using an Organisation for Economic Co-operation and Development (OECD) study as a point of reference, she also concludes that “NPM serves as a basis for the concept of managerial accountability in the United Nations”. However, she indicates that, with the increased introduction and application of NPM in the context of results-based management, the promotion of delegation of authority in human resources management and similar advances, other issues, such as reforms of the administration of justice, will inevitably become essential.

Part III: Political accountability

While issues of political accountability are one focus of earlier contributions, including the Luck chapter and some of those in part I, the third part of the volume focuses on two additional dimensions of, or perspectives on, political accountability at the United Nations. (Political accountability is defined here as accountability applicable to any kind of political form, including one with a “democratic” feature, implying that political accountability is thus “value-neutral” and a “broader” concept than “democratic accountability”.) The chapters in part III are supplemented by the case studies in part IV; the studies therein are basically focused on the aspect of political accountability, as defined above, rather than

managerial accountability. In chapter 9 Tatsuro Kunugi, having defined political accountability as “an emerging principle of global governance transcending the existing omni-governmental multilateralism of the United Nations”, examines a number of cases, including the Declaration of Accountability for Global Governance made at San Francisco (on the occasion of the fiftieth anniversary of signing the UN Charter)²¹ and other codes of conduct that facilitate the enhancement of accountability and effectiveness of global governance with participation of non-state actors. Kunugi further analyses “transformative but non-structural changes proposed in the Cardoso report” for strengthening the United Nations, such as “multi-stakeholder partnerships” and “multi-constituency processes”, since such measures would have the effect of enhancing the accountability and legitimacy of the United Nations.

One area in which the political accountability of the United Nations has often been criticized involves its field operations. In chapter 10 Kazuo Takahashi identifies “a tension between field operations and democratization” at the level of programme countries that has been brought about through “the consecutive emphasis on highly interventionist approaches of development cooperation” (namely “structural adjustment” in the 1980s, and “governance” in the 1990s and beyond). Based on this, Takahashi proceeds to argue that it is essential to address the question of UN accountability with the increasing emergence of field operations in mind. Thus his analysis focuses specifically on the question of democratic accountability,²² by a grouping of the major field operations (i.e. “development cooperation, humanitarian intervention and PKO with UN interim administrations”) against three components of democracy, namely “[popular] participation [in decision-making], transparency [in governance] and rule of law”, and concludes that democratic accountability of field operations raises specific types of issues which will require special attention in the context of UN reform.

Part IV: Case studies of accountability

The fourth part of the book involves case studies of accountability, in an aim to draw on the experiences of the European Union, the World Bank and the Asian Development Bank to shed light on how the United Nations might enhance its accountability.

In chapter 11 Koji Fukuda begins with a comprehensive consideration of conceptual aspects of accountability, together with discussions of how NPM reforms (which are specified by Fukuda as “NPM-guided public

sector governance reforms”) have been introduced into the European Union (EU) and have succeeded in enhancing its accountability. Among the various points identified, one may wish to note in particular that NPM in the European Union has had a positive impact on managerial reforms in general as well as in countering the EU’s perceived lack of accountability (the democratic deficit in its mechanisms and policy processes); the critical importance of accountability to the citizenry; and the need to institutionalize both managerial and political accountability. Fukuda concludes that lessons learned from the EU experiences, taking NPM as a frame of reference for enhancing accountability, will be applicable to the United Nations, and submits a number of suggestions including, in particular, the reform of the decision-making process supported by a system of stakeholders’ participation.

The chapter by Michael Reiterer complements nicely that of Fukuda. Having noted that accountability is regarded as an instrument to overcome the “disenchantment of many of the EU’s citizens”, Reiterer presents a detailed account of the state of affairs of the European Union, separately, on democratic and political accountability, as well as on legal accountability. In this context, he observes that the European Union “was pushed to deal in its reform process with both aspects of accountability, managerial and political”, since it was “clear that management reform [was] only part of the story”. Reiterer further notes that European citizens “advocated more democratic control over the political goals of the process, the process itself and over the use of the financial means used in pursuit of the goals”. Following this, he observes that there exist “some parallels” between the United Nations and the European Union concerning a number of aspects, including “a loss of confidence by key stakeholders, and of morale by staff”. He cautions, however, against an overstatement of “the parallels” because of the differences in respect of the very nature as well as the administrative culture of the two institutions.

Having acknowledged that part of the “increasing concern about accountability of institutions . . . focuses on international financial institutions, and in particular the World Bank and other multilateral development banks”, Edith Brown Weiss, Peter Lallas and Anna Herken point out that “There is broad consensus that institutions need to be legitimate, both in the eyes of those who established them and in the eyes of those whom they serve or affect, and that accountability is a necessary condition for institutions to be legitimate.” They observe that the “growing attention to the need for accountability in international institutions” and “to the effectiveness of . . . complaint and response mechanisms . . . may be characterized as an emerging part of . . . ‘global administrative law’, or the

structural and normative frameworks which govern the operation of institutions at the international level”.

In this context, in light of many concerns raised by civil society, the Inspection Panel, which “is intended to enhance the legitimacy of the World Bank”, was created in 1993 as a body independent of Bank management to promote “participation and accountability” by providing “a forum within the World Bank Group for people who believe that they have been, or are likely to be, harmed by World Bank-funded projects or programmes to bring their concerns directly to the Bank’s board of executive directors”. The authors contend that “it has provided a forum for communities around the world to give voice to their concerns about the adverse social and environmental impacts of projects funded by the World Bank, to establish the facts in relation to these concerns and to report findings to the decision-making chamber of the Bank for consideration and action”. They note that “Since the Inspection Panel was established more than 14 years ago, all multilateral development banks and several national export and investment agencies have now established similar instruments, in good part modelled after the Inspection Panel.” And having described in detail the panel’s history, purpose, structure, process and impact, together with case presentations, they conclude that “the panel provides an entryway for people and civil society into the decision-making process of a major international institution”, and that “The panel’s experience has considerable relevance for future efforts within the UN system to establish or strengthen institutions for ensuring accountability.”

In the final chapter among the case studies, Suresh Nanwani focuses on the measures that have been put in place to improve accountability at the Asian Development Bank (ADB). Nanwani offers a detailed description of the evolution of the ADB mechanisms relevant to accountability. In this context, the “ripple effects” of the World Bank Inspection Panel on other multilateral development banks (MDBs) are acknowledged. These have contributed, in the case of the ADB, to “providing a system that is more responsive to the needs of people affected by ADB-assisted projects”. He points out, however, that the ADB accountability mechanism is the first, among MDBs, which has introduced “two related but separate phases” in which private individuals can file claims for problem-solving/consultation, followed by requests for investigation/compliance review. He also concludes by presenting basically the same message as provided by other contributors, especially in part IV: “That the window of access has been opened to individuals by the creation of any MDB accountability mechanism is groundbreaking, as for the first time citizens are given a voice and an opportunity to participate in the decision-making

processes of an international organization which consists of member states and to which individuals are not parties even though they are project beneficiaries.”

Concluding remarks

As Rosemary Righter has noted, “organizations that are unaccountable finish up by being irresponsible if not corrupt, unresponsive to opportunities, and unintelligible to the public”.²³ More than six decades after the founding of the United Nations, important work remains to be done with respect to the organization’s accountability. As former Secretary-General Kofi Annan noted, and as has been eventually endorsed by Secretary-General Ban Ki-moon, “A key ingredient of any successful organization is an ethical and accountable culture pervading its staff from top to bottom.”²⁴ Perceptions of UN efficiency, effectiveness and credibility are closely related to accountability. And such perceptions will influence global governance and, in particular, the question of whether the United Nations will receive the necessary resources and be assigned tasks that will place it at the centre of international relations in the twenty-first century.

In this regard the Tokyo Symposium on Accountability, capped by the further efforts of the participants to turn their contributions into the chapters of this book, might be envisioned as a triggering input for setting up a *horizontal information network*²⁵ aimed at focusing attention on one central problem of global governance: deficiencies in UN accountability. This initial undertaking, reaching out not only to scholars from different relevant disciplines but also to officials and practitioners from the United Nations and other international organizations, has started to establish relationships among participants and encourage information exchange about ongoing problems, research and policies, including identifying different institutional and procedural approaches that might help to close the UN accountability gap. Our hope is that by focusing attention on issues and problems, common themes and best practices, as well as areas of at least preliminary shared perceptions identified first in the Tokyo symposium, then gaining wider circulation through this volume, we will start the process of creating an inclusive, ever-widening network of individuals, groups and institutions interested in the problems of UN accountability and what might be done about them.

The important subject of accountability at, and of, the organizations in the UN system certainly warrants more serious attention than it has yet been accorded. It is hoped that this volume will serve not only

to identify key issues and raise pertinent questions that practitioners and academics can draw on in future endeavours, but also that it may eventually contribute to enhancing the accountability of the UN organizations.

Notes

1. United Nations (2006) Press Release SG/2119, GA/10558, 14 December.
2. For instance, in a recent report to the General Assembly prepared in response to General Assembly resolution 61/245 (entitled “Comprehensive Review of Governance and Oversight within the United Nations and Its Funds, Programmes and Specialized Agencies”), the Secretary-General proposed an “accountability architecture” focusing on achievement of results and management of risks by holding “managers and staff at all levels accountable”. See United Nations (2008) “Accountability Framework, Enterprise Risk Management and Internal Control Framework, and Results-based Management”, Doc. A/62/701, 19 February, summary.
3. The latest Advisory Committee on Administrative and Budgetary Questions (ACABQ) report comments on the Secretary-General’s report (note 2 above) that it does not address “the measures implemented with the aim of strengthening accountability in the secretariat. The Advisory Committee would have expected that information would be provided on concrete cases where accountability measures had been applied and remedial action taken” (para. 7); “lack of clarity in the definition of accountability is one of the fundamental weaknesses in the Secretary-General’s accountability architecture” (para. 9); and “the issues of accountability, internal control and management practices... should be further discussed with the other organizations of the UN system” (para. 37). United Nations (2008) Advisory Committee on Administrative and Budgetary Questions, Report A/63/457, 29 September.
4. In this connection a good analogy is given by Mary Kaldor, who notes that there does not exist any commonly agreed definition of civil society, but that establishing a common perspective on the concept based on studies and debates on the various definitions and related matters will eventually provide a common ground on which further advances could be expected in various respects, including better policy formulation. Kaldor, Mary (2003) *Global Civil Society: An Answer to War*, Cambridge: Polity Press.
5. US General Accounting Office (1995) “Block Grants: Issues in Designing Accountability Provisions”, GAO/AIMD-95-226, September, p. 4. (Effective from 7 July 2004 the GAO’s legal name became the Government Accountability Office.)
6. “Normatively, from the perspective of democratic theory, three different sets of justifications are commonly enunciated for demands by one entity that another [entity] be held accountable:
 - authorization, by which one entity authorizes another to act [on behalf of the former];
 - support – those who provide financial or political support to [another entity] have a claim to hold [it] accountable; and,
 - impact – those who are ‘choice-determining’ [decision-making] for some people should be accountable for their actions.” Keohane, Robert O. (2002) “Global Governance and Democratic Accountability”, in David Held and Mathias Koenig-Archibugi, eds, *Global Governance and Public Accountability*, Malden, MA: Blackwell, pp. 130–159, available at www.lse.ac.uk. <http://www.lse.ac.uk>.
7. On this issue, however, Prantl, for example, in his chapter argues that “UN politics remains essentially unaccounted by ‘we the peoples of the United Nations’. Although the first seven words of the UN Charter, inspired by the preamble of the US Constitution,

seem to underline the democratic foundations of the Organization, reflecting the collective will of mankind, a brief look into the proceedings of the San Francisco Conference tells us otherwise.”

8. United Nations, note 1 above.
9. United Nations (2004) “Delegation of Authority and Accountability”, Report of the UN Joint Inspection Unit, JIU/REP/2004/7, p. 13.
10. United Nations (2003) “Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq”, 20 October, available at www.un.org/News/dh/iraq/safety-security-un-personnel-iraq.pdf, p. 3.
11. Independent Inquiry Committee (2005) “Second Interim Report”, 29 March, available at www.iic-offp.org.
12. In this context, Kunugi asserts in his chapter that “the exercise of power by one set of actors is subject to responsiveness [accountability] to those over whom their power is exercised. Two functional dimensions are transparency in reporting on the exercise and enforceability of responsiveness that can be imposed on power holders. Most of the time neither of these two dimensions seems to be available in the case of the Security Council’s political sphere.”
13. Behn, Robert D. (2001) *Rethinking Democratic Accountability*, Washington, DC: Brookings Institution, p. 220.
14. Hasuo in her chapter, citing Day and Klein (1987), notes that “unlike political accountability, the most distinctive feature of managerial accountability is that, as a neutral, technical exercise, it can be found within any kind of political framework”. Day, Patricia and Rudolf Klein (1987) *Accountability: Five Public Services*, London and New York: Tavistock Publications.
15. United Nations, note 9 above.
16. Since the creation of the CSD in December 1992 by the UN General Assembly to ensure effective follow-up to the UN Conference on Environment and Development (UNCED, also known as the Earth Summit), nine major groups of civil society recognized by “Agenda 21” (women, children and youth, indigenous people, NGOs, local authorities, workers and trade unions, business and industry, scientific and technological communities and farmers) have been given important roles to play as partners in sustainable development. There are currently two categories of major group organizations that can participate in the meetings of the CSD: organizations in consultative status with the ECOSOC, and those accredited to the CSD roster. See UN Department of Economic and Social Affairs, Division for Sustainable Development (2008) “Commission on Sustainable Development”, available at www.un.org/esa/sustdev/csd/poly.htm.
17. Behn, note 13 above, p. 64.
18. Kuyama, Sumihiro (2001) “Enhancing Governance Oversight Role”, UN Doc. JIU/REP/2001/4.
19. In this connection, Mark Bovens refers to “a paradox of shared responsibility” in “complex organizations”, stating that “as the responsibility for any given instance of conduct is scattered across more people, the discrete responsibility of every individual diminishes proportionately”. Bovens, Mark (1998) *The Quest for Responsibility*, Cambridge: Cambridge University Press, p. 46. Edward Luck also refers to the matter in his chapter, citing the Oil-for-Food Programme in which “the Secretariat was responsible for implementing the mandate agreed by the Security Council, but it was the latter that was to exercise [legislative] oversight. In the end, neither fully upheld its end of the bargain, leading to endless finger-pointing when the scandal broke. Shared responsibility invited a lack of accountability on both sides.”
20. See Brinkerhoff, Derick W. (2001) “Taking Account of Accountability: A Conceptual Overview and Strategic Options”, US Agency for International Development, March.

21. According to Kunugi, “the opinion was widely shared by the drafters of the declaration of accountability that acceptance of popular sovereignty, in place of state sovereignty, as the basis of the United Nations would constitute a conceptual breakthrough for the adaptation of the United Nations as a universal political organization for the twenty-first century, which should play a pivotal role for global governance”.
22. For the rationale for his use of the term “democratic accountability”, see his chapter.
23. Righter, Rosemary (1995) *Utopia Lost: The United Nations and World Order*, New York: Twentieth Century Fund, p. 281.
24. Annan, Kofi (2006) *Investing in the United Nations: For a Stronger Organization Worldwide*, UN Doc. A/60/692, 7 March, p. 13, Box 1.
25. For more on this phrase see Slaughter, Anne-Marie (2004) *A New World Order*, Princeton, NJ: Princeton University Press, p. 3.

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The term accountability is increasingly heard at the United Nations. More than six decades after the organization's founding, people continue to ask exactly how the UN is accountable for what it does, and many agree that enhanced UN accountability is a prerequisite to effective global governance. Nevertheless, the concept is elusive and rarely defined, and views have diverged on its proper meaning and various implications. The contributors to this volume identify key issues, raise pertinent questions, and suggest useful reforms regarding accountability in the context of the United Nations system.

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