

# A ROADMAP TO ACCOUNTABILITY FOR ASSOCIATIONS

AS GLOBAL LEADERS INVESTIGATE THE ROOTS OF THE CURRENT FINANCIAL CRISIS AND ASSOCIATIONS CONSIDER REGISTRATION WITH THE NEW EUROPEAN LOBBYISTS' CODE OF CONDUCT, ACCOUNTABILITY IS BECOMING THE LATEST TRANSATLANTIC BUZZ WORD. IT EVOKES A GROWING WILL OF BUSINESS AND CIVIL SOCIETY TO ENHANCE THEIR IMAGE IN THE EYES OF THE WIDER PUBLIC, TO WIDEN RESPONSIBILITY AND TO ACT ACCOUNTABLY. THE GROWING ROLE OF ASSOCIATIONS IN A CHALLENGING ECONOMIC CLIMATE UNDERLINES THE INHERENT RESPONSIBILITY OF ASSOCIATION ACTORS IN TERMS OF ACCOUNTABILITY.

*The following text is an excerpt from the full article A Roadmap to Accountability for Associations written by Rachel Barlow and published in the December issue of the Journal of Association Management - Courtesy of ASAE & The Center for Association Leadership*

## TO BE OR NOT TO BE... ACCOUNTABLE ?

The implementation of an accountability programme should provide tangible benefits for associations. These might include more privileged access to decision makers due to the integrity of procedures used for interest representation, greater membership renewals due to greater levels of communications transparency or clear procedures relating to the democratic aspects of your decision making. Your relationships with partners will be rendered more legitimate as well. This article seeks to provide a roadmap for accountability for associations, wherever they practice.

## TOWARDS A COMMON UNDERSTANDING OF 'ACCOUNTABILITY'

The definition of accountability in a socio political context evokes notions of transparency, enhanced participatory democracy and

greater legitimacy through a mechanism which holds actors to account.

### An accepted definition... and its limits

Bovens (2006) defines accountability (at least in European academic circles) as: *'The relationship between an actor and a forum, in which the actor has an obligation to explain and justify his or her conduct, the forum can pose questions and pass judgment, and the actor may face consequences.'*

Bovens recognized the limitations of this definition and developed three perspectives<sup>1</sup> to assess accountability systems which should be considered in the drawing up of accountability rules applied to associations:

*Democratic perspective: accountability and popular control*

which would ensure that the accountability arrangement put in place provides sufficiently significant incentives for the actors



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to commit themselves to the agenda of their democratically legitimised principals.

*Constitutional perspective: accountability and equilibrium of power*

would ensure that the accountability forum has enough investigative powers and information processing capacity to credibly evaluate executive behavior, particularly regarding conformity of executive action with laws, regulations and norms.

*Learning perspective: enhancing effective governance*

aims to ensure that the accountability arrangement yields an accurate, timely and clear diagnosis of important performance dimensions with a set of interaction routines

encouraging dialogue about performance and related feedback.

### Taking a sheet out of the European Transparency Initiative<sup>2</sup> - (ETI) book

ETI addresses the recognised need for accountability of lobbyists in the EU<sup>3</sup> and stems from the European Commission's commitment to deliver effective policies in the general European interest, to reconnect Europe with its citizens, to make its role more accessible and to address doubts about the legitimacy of the process of adoption of EU legislation.

Key points for associations, are:

- + The register was launched on June 23<sup>rd</sup> 2008 and is contained in a website: <http://ec.europa.eu/transparency/regrin/>. Details to be provided during registration include a complicated calculation for financial disclosure whose practical application is debatable.
- + The register's lifecycle is one year.
- + The system contains a complaints procedure, with the ultimate sanction being removal from the register - a key feature underlining its role in as an accountability mechanism
- + registration is not compulsory but 'expected'. A criticism is that this does not fit with a democratic approach to accountability .

### PRACTICAL GUIDE TO INTERNAL ACCOUNTABILITY: GOVERNANCE BEST PRACTICES

The bullet points below do not claim to be exhaustive or all encompassing, but serve as a guide:

- + Accountability implies transparency, democracy, participation, rule of law, cost efficiency and effectiveness. It includes a sound vision and measurable objectives. The association should be able to boast policies that define how it works and a solid structure and sustainable framework to support the organization through inevitable internal and external changes.
- + Financial transparency and compliance with antitrust law are a must.
- + After registration of the articles of associa-

- tion or statutes, agreement on an internal document entitled 'rules of procedure' or 'code of conduct' is a pre requisite. This should include detailed internal guidelines on internal structure, membership rights and obligations and should be regularly updated after approval by the General Assembly.
- + A clear process needs to be set out for decision making, at all levels of the organization. The consultation processes need to be transparent and consensus oriented.

### PRACTICAL GUIDE TO EXTERNAL ACCOUNTABILITY / PERCEPTION ENHANCERS

The following basic principles are key to the development of effective accountability instruments:

- + Clear, standards and guidelines with specific attention to the issue of conflicts of interest
- + Top-down monitoring systems with independent internal and external auditors. Bottom-up monitoring systems with well developed complaints procedures public information provision
- + A clear gradual sanctioning system with appeal possibilities

### CONCLUSION

This article aims to raise the awareness of accountability as an differentiator for both associations and civil society groups in equal measure. It also hopes to shed light on your next steps on the road to accountability.

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<sup>\*1</sup> Does Public Accountability Work? An assessment tool by Mark Bovens, Thomas Schillemans and Paul 'T Hart, Public Administration Vol.86, N°1, 2008

<sup>\*2</sup> Communication from the Commission, European Transparency Initiative, A Framework for relations with interest representatives (Register and Code of Conduct) - COM (2008) 323 final

<sup>\*3</sup> Fair Law: legal proposals to improve corporate accountability, European Coalition for Corporate Justice (ECCJ) presented a study to the European Parliament on 29th May 2008.

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Rachel Barlow is former Vice President of Kellen Europe and a Board member of ESAE. She is currently focusing on governance issues arising from interest representation whilst undertaking a PhD on accountability in business associations. With her 15 years' experience in association management, Rachel carries out ad hoc projects, and lectures at Lille Université in France and on the Compact Seminar of the College of Europe in Bruges, Belgium