

// SUPPORTING INTERNATIONAL TRANSPARENCY AND ACCOUNTABILITY INTERVENTIONS: DOES OUR EXISTING KNOWLEDGE HELP?

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The transparency and accountability (T/A) field emerged 20 years ago and has changed at a remarkable speed. In the early 1990s, few countries had tried to implement reforms, advocacy campaigns were a rarity, and international action was a plea. Today, T/A practitioners operate in a world in which many actors from all levels are engaged, and international efforts have become a reality.

Did you know that international standards are a key component of The William and Flora Hewlett Foundation's T/A strategy?

However, we know very little about the impact of these different international initiatives. How will they generate change, in both international norms and on the ground? What are the models of change? How are they affected by institutional design and the ways in which stakeholders leverage them? Does context make a difference? What kinds of resources and support affect on-the-ground impact? And what does all this have to tell different stakeholders supporting initiatives in different circumstances?

We need to talk more about both knowledge and practice, and now is the time to do so. In this piece we make a start by identifying what research tells us about the impact of international initiatives in the T/A field, and by beginning to link them to the experiences of civil society organizations. We do this in five stages:

1. We present the T/A context by focusing on one rapidly changing dimension: international initiatives;
2. We ask a tough question: are T/A stakeholders clear about how they expect such initiatives to bring about concrete change?
3. We put together a preliminary impact map and ask: according to participants and independent observers, how are international initiatives supporting change?
4. We explore how prioritizing different areas of the map can lead to different ways to allocate scarce resources; and
5. We present some action points and trade-offs. There are several ways to advance action-research and learning, but what are their implications?

Taking the Transparency and Accountability landscape seriously

The T/A field has invested in a range of international initiatives over the last two decades. These range from sectoral, multi-stakeholder initiatives¹, like the Extractive Industries Transparency Initiative (EITI), the Construction Sector Transparency Initiative (CoST) and the Global Initiative for Fiscal Transparency (GIFT), to international standards like the International Aid Transparency Initiative (IATI). A recent addition is the Open Government Partnership (OGP). All these initiatives have changed quickly. For instance, in less than two years the OGP has grown from its eight founding governments to 58 member states, who are increasingly putting forward national commitments (Robinson 2013). The OGP is also spurring widespread interest in predecessor initiatives, like EITI, and the open government movement as a whole (Tisné 2013).

More formal agreements are also addressing specific transparency and accountability policy provisions. In the early 1990s it was unthinkable that there would be access to information or that participation provisions and peer review mechanisms would feature in the anti-corruption conventions of intergovernmental organizations. Yet today we work with the United Nations, the Council of Europe, the Organization for Economic Cooperation and Development, and the Organization of American States. The flurry



DICTIONARY:

of international activity in the field is a consequence of a remarkable transformation of transnational transparency and accountability politics (see [here](#)). For many T/A practitioners these international initiatives have become part of the context – they are there whether we acknowledge them or not.

Such a rapid evolution requires us to update how we think and act. Outdated expectations, strategies, and programming will not get the best out of the field’s hard work and achievements.

Systematic analyses of the domestic and international politics and law² that realistically shape the struggle for transparency and accountability are rare (exceptions can be found [here](#), [here](#), [here](#), [here](#), and [here](#)). International initiatives are not silver bullets – they are unlikely to work in the same way in all places and in all circumstances.

International initiatives use scarce resources, but for what?

Few stakeholders are in a position to develop a truly ‘super duper’ impact plan. This sort of comprehensive analysis requires an honest statement of assumptions, causal mechanisms, and expected outcomes. This isn’t information that existing stakeholders can usually provide.

In 2011 the Transparency and Accountability Initiative commissioned a [review of the evidence of T/A interventions](#). This didn’t investigate the international efforts mentioned above, but it did give us a place from which to start. The report’s authors, Rosie McGee and John Gaventa, warn that drawing strong conclusions about the impact

‘Context matters’ has become a mantra in the field. But so what? This is a question we care about. International dimensions are one factor that deserves further examination.

1. *Multi-stakeholder initiatives* : According to [Soreide and Truex](#), multi-stakeholder initiatives reflect: “ a broad array of initiatives and practices where representatives from different organizations are brought together in hopes of facilitating cooperation and exchange. We can divide these initiatives into two general categories based on the fundamental purpose of the multi-stakeholder interaction. Multi-stakeholder platforms (MSPs) are decision-making bodies with the mandate of allowing stakeholders to bargain over the generation of policy. They are frequently employed to address the issues involved in managing common pool resources, allowing for representation of indigenous populations, government officials, and private sector actors. Larger international initiatives, like the Energy and Biodiversity Initiative (EBI) and the Ethical Trading Initiative (ETI), are bodies of a broad group of public, private, and non-profit stakeholders that work to agree on a common set of principles governing behavior ... Multi-stakeholder groups (MSGs), as described and researched in this note, are primarily concerned with policy oversight and implementation, not policy bargaining and generation. They often have the mandate of implementing a development initiative, and the approach assumes some shared interest among the stakeholders”

2. *Law* : When we talk about international law we are referring to everything from precise, binding rules with oversight mechanisms, to softer hortatory standards without third-party oversight mechanisms. For more on this approach see [here](#).

of interventions requires action and research that articulate clear expectations and test how we expect 'success' to come about. Without knowing the sequence of steps that we think need to happen for a particular T/A intervention to work, it is very difficult to establish what changes are likely to occur.

International T/A interventions are now the rule, not the exception. They have taken many forms, and appear to be based on very different, often unarticulated assumptions about how they will translate into changes on the ground. In turn, these assumptions shape how effective participants think the intervention has been. Take, for example, the findings of these recent works:

- A 2011 evaluation of EITI found that the lack of a 'theory of change' meant that the specific inputs of EITI activities were not connected to the initiative's wider aspirations for societal change ([Scanteam 2011](#)). In other words, EITI had a limited impact on the very issues it was developed to address.
- In another study of EITI, Diarmid O'Sullivan (2013) argued that public reporting of extractive revenue is not inherently linked to the accountability outcomes that many observers measure. Observers generally assume that NGOs will take the lead in evaluating and acting upon disclosed information. However, the ability of NGOs to mobilize and leverage new information to influence governments seems to vary, according to a large number of factors about which we know little. Likewise, governments have varying motives for embracing EITI, from pleasing foreign donors to managing the 'resource curse'. Information disclosure on its own may not be enough to compel transparency, let alone accountability.
- One evaluation of regional and international anti-corruption measures in Latin America ([Guerzovich 2012](#)) found that the civil society organizations who were monitoring international anti-corruption conventions, and their funders, had different, unarticulated theories of change. Divergent strategies and aims meant that civil society groups took on a different intermediating role to that needed to spur policy change (see Table 1). Rather than thinking of the convention as a tool with which to enact a specific policy at the local level, civil society organizations saw its promotion, implementation, and monitoring as an end in itself.

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Want to help solve a complex puzzle?

There are many theories of change and assumptions around EITI or international anti-corruption work in the Americas. Yet, the number is small in comparison to those in OGP's 'big tent'. OGP secures concrete commitments from member states to enact reforms that will increase transparency and create measurable improvements in governance. It draws on a diverse set of actors - including governments, civil society organizations, the private sector, and philanthropy - and employs a novel Independent Reporting Mechanism by which an independent panel of experts assesses the progress of each OGP member country according to its national action plan. By design OGP allows for a flexible, dynamic approach to strengthening governance. This builds on a 'mixed coalition' of parties that substitutes universal, binding commitments for voluntary pledges that allow participants to lead by example ([Weinstein 2013](#)).

So, here's a design challenge. There are advantages to having a broad coalition, agenda, and flexibility. But there are also potential problems. For instance, a diverse coalition will bring an equally diverse set of assumptions about its aims (see [Nathaniel Heller and Martin Tishé](#)) or the links between international initiatives and domestic change.

The challenge is, how do we learn when there is this sort of spread of expectations? The OGP is rich in diversity, but how can we organize that in a way that maximizes its potential?

If you are interested, read more here about [the pros and cons of alternative international institutional set-ups and development pathways](#) (Word doc).

Table 1: Two Theories of Change and Strategic Approaches in International Anti-corruption Programming in Latin America

Source: *Guerzovich 2012*

	GRADUALISM	SHOCK THERAPY
POLITICAL RESOURCES AND INFLUENCE	Search for endogenous political resources and influence inside the system	Search for political resources and influence outside the system
GOALS	Perfectible goals that can be delivered	Perfect goals that cannot be delivered
TIME	Time actions to take into account multiple, existing policy cycles	Rush, imposing an exogenous timetable (e.g. looking at the timing of activities that reactively follow external deadlines)

Mapping the added value of international initiatives

We want to move discussion about the impact of international T/A interventions on, but the existing knowledge in the field is not as helpful as we had hoped. To organize our thinking we turned to a body of interdisciplinary literature that seeks to understand the development of international initiatives and their effectiveness on the ground. (Why this approach? See the box.)

A detour into our methodological approach

The literature on international institutions is vast and describes a number of ways to evaluate the impact they have on the ground. It would certainly benefit from an exhaustive mapping, but this isn't the place for that - we want to provoke thought rather than summarise the state of the art. We want to be explicit about the trade-offs.

Any sampling of the literature will necessarily leave some sources and approaches overlooked. For those interested in the broader literature on civil society and social movements, a good point of entry can be found [here](#). For those who want a more normative take on the impact of international law and institutions, check out [this](#). Subsequent scholarship has sought to bridge these literatures with a nuanced take on the mobilization of transnational norms; see [here](#) and [here](#).

While our list of examples may not have been culled systematically from the totality of works available, we do feel that our sample offers sufficient range to cover a number of implicit assumptions we have come across in the field and that would be most constructive in thinking about future directions for improving strategies, operations, and programming through systematic learning. Sources were chosen in consultation with experts, identifying works we believed could spur thinking among stakeholders because they either reflect or challenge their assumptions about the impact of international interventions.

The table below uses insights from this literature to begin mapping how different pro-reform stakeholders see international initiatives as affecting desired outcomes or adding value to broader efforts to bring about change.

It can be seen that there are many ways to examine the impact of international interventions. Some emphasize structural, design elements, such as regular meetings between peers and independent review mechanisms. Others underscore the dynamic processes that international institutions set in motion, like deliberation of standards, redistribution of power, or capacity-building processes. These dynamics can be shaped and utilized by civil society organizations and social movements.

We link these different pathways to concrete examples from work in the T/A field, broadly defined. These examples may be controversial, but our aim is modest: to offer illustrations that will help show some of the ways in which international initiatives create change on the ground. We deliberately included examples from independent scholars as well as from participants in and observers of international initiatives. As we look for a more systematic understanding, it is important to think about whether we can bridge alternative insights.

Table 2: What roles could international initiatives play?

Potential role ¹	How the mechanism might appear in practice
Decreasing transaction costs	
<p>Lowers barriers to coordination among pro-reform stakeholders</p>	<p>Multi-stakeholder initiatives, ranging from open contracting to GIFT and CoST, aim to bring together representatives from governments, business, and civil society to discuss concrete issues, develop formal and informal standards of behaviour, and enable ongoing dialogue and information sharing (see here, here, here). More generally, ‘multistakeholder processes can be constructive in terms of allowing space for the recognition of challenges and identification of workable solutions’ (Truex and Soreide 2010).</p>
<p>Provides a rule-based framework, making it possible to know when someone breaks the rules</p>	<p>The OGP generates a minimum set of criteria by which a country can demonstrate its basic commitment to open government. A country-specific plan is developed in consultation with public and private sector organizations, and the government’s policies are evaluated by an independent, third-party review body that reports annually on the government’s fulfillment of its stated goals (Weinstein 2013, 6).</p>
<p>Provides a medium for side-payments</p>	<p>The UN Convention against Corruption provides a technical assistance framework that intends to develop capacity for prevention, criminalization, and mutual legal assistance in the fight against corruption. This framework may have been instrumental for donors in allocating and evaluating their support in this area (see e.g. here and here).</p>
<p>Provides a tool to help powerful actors get others to do what they want</p>	<p>The DeBeers diamond group was instrumental in spurring industry-wide participation in the KPCS. It was then able to strengthen its cartel by legitimizing some diamond trade – ostensibly under the KPCS’s purview – and delegitimizing other trade outside the KPCS (Haufler 2010, 13).</p>
Providing valuable information	
<p>Creates stable expectations of appropriate behaviour</p>	<p>International efforts to improve aid transparency, like the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action, create ‘effectiveness targets’ that hold donor and recipient countries accountable for their aid objectives. Emphasis is placed on increasing the availability and publication of information with which to measure the achievement of these targets. The presumption of transparency that these initiatives promote creates an assumption that aid needs to be transparent in order for donors/recipients to be effective (McGee 2011, 5).</p>

¹ These categories are drawn from Alter (2003).

Provides information about cheating

Gives timely feedback to help shape reactions

Helps to overcome asymmetrical information that may undermine collaboration

Influences perceptions through shared information

Peer review mechanisms, like the Group of States against Corruption (GRECO) at the Council of Europe, involve discussion and evaluation of whether national anti-corruption policies adequately conform to international commitments. Such processes engage both state and civil society actors in highlighting areas where there may be poor implementation or non-compliance (Guerzovich 2012).

A second OGP action plan is already underway in Mexico, and information about roundtable discussions with stakeholders will be published online at the Open Government Alliance (www.aga.org.mx). Press interest has been low in the past, but more formal relationships with the media are being pursued so as to generate coverage of the planning and implementation process.

Civil society organizations were initially excluded from discussions around the OGP country action plan in Mexico, but the subsequent establishment of a Tripartite Technical Secretariat helped to institutionalize collective dialogue between government and civil society actors. It also helped CSOs present a more unified front to government by streamlining their different interests. The augmented country action plan that was later submitted included 36 new proposals from CSOs (of 45 submitted) (Ibarra 2013).

The Nigerian EITI has enabled an increased transparency that has mostly been embraced by the oil industry. 'The international oil companies have moved from resistance ... to acceptance and in some cases also support for the detailed reporting demanded by the audit reports. This is in part because this ensures that all actors must adhere to the same reporting standard, including the smaller national actors entering the scene, as well as Nigeria's National Petroleum Corporation' (Scanteam 2011, 12).

Providing insurance

Lessens moral hazard

Reduces uncertainties, including technical uncertainty about the nature of the solution

The UN Global Compact - a voluntary set of principles surrounding corporate social responsibility - attempts to shift some costs of norm violation to private firms. 'Firms need to devote staff time and resources to preparation of Letters of Commitment and Communications on Progress. More importantly, firms put themselves forward as potential targets of attention and criticism. Activists may be more likely to target a participating company for poor performance or egregious actions in any of the Compact's issue areas. Media and regulators may be more likely to take activists' claims seriously. Discrepancies between words and actions can be costly when NGOs, activists, and the media are key stakeholders' (Berliner and Prakash 2012, 4-5).

An assessment of the OGP in Tanzania reveals a desire to use it in the service of larger development goals. The 'government doesn't just rule, it actually seeks to solve problems collaboratively. It recognizes that it doesn't have all the answers. In that sense, it can also be very liberating for government, to not have to feel it has to shoulder all the responsibility and fix all the problems' (Eyakuze 2013, 12).

Helps pool risks

'While all the states [negotiating the Kimberley Process Certification Scheme] in 2000 had similar interests, the negotiating process was facilitated by the strong leadership position of South Africa. The South African government, and by this time DeBeers too, had the most to lose if the diamond market was affected by the blood diamonds campaign. All the major producer states agreed on the need to establish controls to segregate rough diamonds from conflict zones from those that came from more legitimate sources' (Haufler 2010, 13).

Changing the strategic environment

Changes how stakeholders calculate their interests

A study of the impact of the Financial Action Task Force (FATF) 'blacklist' on country compliance with anti-money laundering and terrorist financing standards found that international capital flows are likely to be discouraged by the presence of a country on the list. Likewise, capital flows are likely to be encouraged if a country is removed from the list (Masciandaro 2013).

Increases current levels of cooperation to account for future payoffs if repeated interactions are likely

The 1997 OECD Anti-bribery Convention overcame initial challenges and skepticism through a gradual process of negotiation and legalization. This was a multi-decade process of ad hoc meetings led by political entrepreneurs, but it allowed states to learn about the problem of corruption, adjust their preferences, and ultimately establish rules governing foreign bribery by multinational firms through repeated cooperation and mutual assurance (Abbott and Snidal 2002).

Allows for 'forum-shopping' for sympathetic audiences

Human rights activists have used alternative venues for trade negotiation to promote their policy preferences. Whereas the consensus model of the WTO gives weaker states a veto, the European Parliament, whose approval is required for bilateral EU trade agreements, provides a different bargaining context in which activists can link human rights preferences to trade (Hafner-Burton 2005).

Leverages alternative international forums to undermine existing rules or norms

Judith Kelley (2009) notes that the proliferation of international election monitoring organizations has, in some cases, led to competition for prestige, influence, and material resources. Governments might only invite organizations they expect to be sympathetic, or they may exploit discrepancies between monitors. These are then used to spin their assessments of election results. During the 2008 Russian presidential election, for example, an even number of Western and pro-Russian observers were invited in anticipation of a split that could be used to undermine any criticism of the outcome.

Facilitates issue-linkage and strategic cooperation across issue areas

The formal inclusion of civil society participants in the Inter-American Convention against Corruption (IACC) monitoring process allowed them to link anti-corruption to other developments around human rights and democratic consolidation. The landmark Claude Reyes decision by the Inter-American Court of Human Rights took anti-corruption arguments into account and facilitated the incorporation of access to information provisions in IACC compliance reviews (Guerzovich 2012).

Negotiates participation in one international initiative to leverage concessions or gain support in another

The USA's involvement in designing and implementing the OGP allowed civil society organizations to press it to include other open government priorities in their countries' action plans, including US participation in EITI (Krafchik 2013, 10).

Penetrating inside organizations/sectors

Provides resources to individuals within organizations/sectors who are influencing the internal debate

Rodney Smith (2013) argues that international treaties have created new domestic arenas, in the form of review and legislative committees or enforcement agencies. These can be used to advocate for policy reforms. In Australia, for example, the parliamentary Joint Standing Committee on Treaties held hearings on the OECD Anti-bribery Convention. These resulted in an expansion of jurisdictional authority over actions that either took place in Australia or involved an Australian citizen or entity.

Mobilizes unforeseen resources and allies

International commitments can bring new actors into the debate about open government. The OGP has attracted technologists 'who were not previously focused on what the government made publicly available but who are inclined to think about how the latest consumer technology can help optimize interactions between governments and citizens' (Weinstein and Goldstein 2012, 42).

Creates a hierarchy of objectives

In an independent analysis of EITI in several countries it was found that transparency was being applied in a number of contexts, and governments were prioritizing it over accountability. In Timor Leste, for example, the principle of transparency is now being applied to oil and gas revenue, but this application is uneven and there is not an equal emphasis on accountability (O'Sullivan 2013, 27).

Undermines internal opponents' arguments by learning through participation

Florencia Guerzovich has found that 'over the years, and thanks to the [Open Society Foundation-Latin American Programme]'s ongoing constructive participation in MESICIC, state-society relations in the anticorruption area have improved. Many state representatives have learned to conceive of civil society organizations as valuable and credible partners, even if they do not always agree on specifics. MESICIC's rules on civil society participation have also contributed to the overall increase of the openness and transparency of the Inter-American anticorruption system over time' (2012, 9).

Brings its rules into ongoing debates

India's participation in the Open Government Partnership seems to have affected national conversations about transparency and accountability. 'Ironically, just as India was withdrawing from the fledgling OGP, the Indian government and Parliament were actively considering a slew of new transparency and accountability legislation. The LokPal Bill (Anti-corruption Commission), the Grievance Redress Bill, the Whistle-blower Protection Bill, the Judicial Accountability Bill - the Public Procurement Bill - all have been tabled in Parliament in the last year and are in various stages of enactment' (Dey and Roy 2013, 14).

Enmeshes domestic politics and law, entrapping anti-reform stakeholders

De Michele and Guertzovich (2010) analysed the workings of international anti-corruption initiatives in Peru, Argentina, Chile, and Mexico. They found that 'change has been collective, through small imperfect steps at the national and international levels, linked in particular through the Inter-American process'. Sometimes, as in the case of former Peruvian President Fujimori, international anti-corruption institutions have entrapped stakeholders within dynamics they did not intend to support.

Forces actors to squeeze actions through loopholes

'In many ways, the [diamond] industry's behaviour looks a lot like the United States's behaviour [in implementing the Kimberley Process]. Its choice to design a system with limited accountability might be explained by a desire to flexibly innovate or by an initial unwillingness to commit to the institution's success' (Wexler 2009, 1763).

Changing how actors think about their interests

Creates a norm of reciprocity

Initiatives like EITI institutionalize frameworks for dialogue and trust that can serve as a basis for future interstate engagement and reciprocity beyond the issue at hand. This is shown by the cooperation on peace-building and governance between Liberia and Sierra Leone that stems from Liberia's support for Sierra Leone's EITI implementation process (Sheldon et al. 2013, 6).

Builds trust among pro-reform stakeholders

According to its co-chair Warren Krafchik, OGP created positive state-civil society synergies: 'Having Mexican civil society and government representatives on the steering committee - together with strong [civil society organizations] on the ground - empowered reformers in the government. The result was a redrafted, stronger Mexican [OGP] action plan' (2013). The process described in Ibarra (2013) provides further information on the trust-building process. .

Creates a shared norm

'OGP is energizing open government discussion, leading to the creation and development of new norms and standards. The Global Initiative for Fiscal Transparency (GIFT), which aims to develop standards related to budget transparency and participation of citizens in the budget process, was directly inspired by OGP and includes two prominent OGP government members (Brazil and the Philippines) in its founding stewards group' (Tisné 2013, 13). .

Provides sham legitimacy

In the absence of strong civil society organizations with sufficient capacity to engage and check government and business interests effectively, multi-stakeholder initiatives can run the risk of providing an imprimatur of legitimacy where it is not warranted. 'Under circumstances where [government and private sector] actors have colluded in the pursuit of narrow interests, or where one of these two actors dominates negotiations, the multistakeholder group is reduced to an alibi for one category of players. It appears to be a 'good initiative' but in practice simply facilitates a continuation of the status quo, including corrupt practices'(Soreide and Truex 2011, 12).

Creates a false harmony of interests that works against the weak

Transparency initiatives like CoST assume that all public, private, and civil society actors have a shared interest in transparency. But this may be undesirable for business in cases where transparency would disrupt business practices or undermine personal relationships that had previously enabled outcomes, leading to obstructionist practices that ultimately undermine the effectiveness of the initiative (Truex and Soreide 2010).

Our aim in Table 2 is to present a framework and a body of research that may be unfamiliar but that can still spark debate and action. Many of the academic arguments and independent evaluations make explicit the limits of international initiatives. And of course there are many incentives for stakeholders to overstate their point. But we are working on the assumption that conflicting viewpoints help open the debate.

We look forward to your help in this! Use the following questions to start thinking about the international initiatives you work with:



We are not making claims about the generalizability or strength of this evidence. That is a step we hope that T/A stakeholders will take collaboratively, using more explicit common understandings about how different international institutions work under different conditions. Explaining unevenness may in fact be more helpful than accounting for average effects.



What international initiative(s) do you work with?	What would be a successful outcome for this initiative?	How does the initiative help your broader change efforts?	What internal factors have influenced your ability to leverage the initiative?	What contextual factors have influenced your ability to leverage the initiative?

What assumptions are we making about the impact of international interventions?

Whether we are researchers or practitioners we have reached an exciting crossroads. A number of plausible ideas are available that could help us perform better T/A interventions. We also have a wealth of case studies that can allow us to test when, where, and how our assumptions hold. This is our opportunity to ask the right questions and advance learning and practice.

There will be choices to make. But before we ask researchers and practitioners to focus on one aspect of interventions that our reading of the literature and experience suggests is most important, we want to invite you also to reflect on that choice. We think that increasing our knowledge about one row or another of Table 2 will reveal different ways to allocate resources. We also believe that stakeholders making decisions about resource allocation are likely to need different information to those designing or implementing interventions.

The potential roles in Table 2 fall into a broad debate in the literature about the most important factors determining the effects of international initiatives: the design of the initiative itself, or its relationship to local contexts. These perspectives reflect two very different sets of hypotheses and, accordingly, two distinct ways to invest our time and financial, intellectual, and political capital:

1. Many of our colleagues invest considerable time in designing, negotiating, and implementing the particular rules of international initiatives. They believe that the design of international institutions is most consequential in determining its effects.

Who gets to sit at the table - what are its membership and eligibility criteria? What is the initiative's scope? What incentives can we build in to foster a race to the top and penalize inaction? Are binding commitments really helpful, or is a cause better off with a new set of voluntary standards. Or should stakeholders avoid reinventing the wheel and just use existing standards? Does it all depend on building an international court?

This perspective raises specific questions about the impact of international institutions:

- a. When, where, and how do different rules to engage diverse points of view in an international review process help bring about success? For example, did on-site visits rather than shadow reports bolster the ability of Latin American or European civil society organizations to influence the recommendations of regional anti-corruption review mechanisms?
- b. How do different institutional designs affect the effectiveness of our inputs? For example, under what conditions is it better to invest individually in the different parts of the OGP institutional structure (support unit, networking mechanism, civil society coordinator, review mechanism) rather than collectively?

This perspective assumes that we are most likely to get desired outcomes on the ground if we are farsighted in our planning and can agree on a particular set of rules. By focusing on institutional design, do we end up with policy recommendations that reflect the conditional effectiveness of various design elements, or a bundle of parts that may be inappropriate to the context? Does focusing on institutional design hide a more nuanced view of how these elements actually play out in practice? Which stakeholders are likely to be able to apply answers to these questions in their daily decision making? And for which others might the information be irrelevant?

2. In contrast, other researchers contend that the effects of international initiatives cannot be derived solely from the design of an institution. Although purposive actors can make design choices together based on the anticipated effects of an international institution, the actual impact of any intervention will be shaped by a number of factors down the line (see Pierson 2004). This suggests a need to focus on those mechanisms that most directly link initiative goals to local contexts. It also brings forward the challenge of systematically accounting for diversity in different places and moments in time.

- a. When, where, and how should domestic compliance constituencies

raise the political cost for governments that fail to comply with international agreements? For example, will domestic stakeholders in Tanzania automatically press government officials to implement the OGP country plan?

b. Does it matter what types of domestic actors and institutions are available? For example, do we assume that civil society organizations are the key actors that will take up the banner of aid transparency in states that agree to EITI or GIFT? Are other institutional actors, such as the executive or the judiciary, equally or even more important in certain contexts?

This perspective assumes that compliance constituencies will hold governments to account based upon their international commitments. Does this rely too much on the varied preferences of interest groups? Are certain configurations of actors and institutional contexts more conducive to this approach, and what might be its unintended consequences? An international initiative like OGP can empower different types of civil society organizations (national vs. international; advocacy vs. service providers) who have a stake in the domestic implementation of the global standards and who act accordingly, such as bureaucratic entrepreneurs and private firms. What do we know and what can we learn about when parties are likely to effect change on the ground? Who is able to use this information to make concrete decisions?

Do these or other hypotheses support the international processes you work with? Taking into account the categories above, where do you think we should concentrate research to better understand how to best support T/A international initiatives? How do we deliver answers that can be used by the many players who are trying to bring about T/A change?

Action points

Efforts are needed right now in the following areas:

- Making explicit how different stakeholders think international interventions could help bring about wins for the field (or not), share the knowledge, challenge our assumptions, and learn together;
- Mapping and testing systematically when, where, and how these ideas hold;
- Using our knowledge to build more

effective, and context relevant, strategies, tactics, and programming; and

- Ensuring that we are bringing together research and practical experience in support of our collective and individual agendas.

This note is just the beginning of a conversation, and we welcome your comments and suggestions.



WHAT ARE YOUR THOUGHTS?

Interested in innovating and learning with T/A funders, researchers, and practitioners?
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