

# **Civil Society Strategies to Democratize International Organizations: The Case of the Asian Development Bank**

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## **Abstract**

The aim of this paper is to map out and analyse different civil society strategies to democratize global governance. As an empirical illustration I focus on the case of civil society interaction with the Asian Development Bank (ADB). I present an analytical framework focusing on different forms of civil society-IO interaction, including inside as well as outside strategies of policy advocacy. The empirical analysis provides an overview of ADB relations with civil society organizations (CSOs), identifies different recent internal governance reforms that might strengthen the democratic credentials of the ADB, and explores the influence of CSOs on one of these reforms: the accountability mechanism. There is some evidence of CSO influence on the ADB. However, this should not be exaggerated as formal decision-making rests with state representatives and ADB management has great powers to resist or dilute reforms. Nevertheless, it is as “pressure groups” or “watch dogs” rather than “transmission belts” representing a demos that CSOs have the strongest potential as actors of democratization beyond the nation-state.

## Introduction

It is widely recognized that there is a democratic deficit in global governance. Global policy-making to a large extent remains the exclusive preserve of political and economic elites, with few opportunities for broader popular participation and control. International organizations (IOs) typically lack transparency and are hardly accountable to the people who are significantly affected by their activities. These alleged democratic deficits are key concerns for civil society movements targeting different IOs. During the last decade there have been an increasing number of rallies against prominent IOs, with demands for democratic reforms featuring high on the protest agenda. Most IOs have also created formal channels for consultation with civil society organizations (CSOs).

Despite a growing research interest in civil society-IO interaction, the broader consequences of increased civil society engagement with global governance institutions remain unclear. CSOs are often seen as parts of the solution to the global democratic deficit, holding a promise to contribute to a democratization of undemocratic global governance arrangements (cf. Scholte 2005, 2007: 314; Smith, 2008). NGOs and social movements organize advocacy campaigns aiming at holding IOs accountable and put pressure on decision-makers to implement reforms. Through their moral authority CSOs can influence the framing of political issues and the crafting of policy responses to these issues (Broome 2009). CSOs can function as a "transmission belt" between local stakeholders and global governance institutions, communicating new issues, interests and concerns, hence contributing to the emergence of a global public sphere (Steffek & Nanz 2008: 3). The democracy strengthening role of CSOs, however, is a potential that might or might not be fulfilled. CSOs in global as well as national and local contexts are not necessarily pro-democratic, and the democratic credentials of such actors themselves may be questioned (Uhlin 2009; Erman & Uhlin 2010).

Political theorizing on democracy beyond the nation-state has devoted relatively little attention to *processes* of democratization. There is a tendency to focus on normative models of democracy that might ideally function on a global scale. By contrast, empirical studies tend to concentrate on assessing the democratic qualities of contemporary global governance arrangements. Few studies have tried to understand and explain *processes* of change in a democratic direction. The present study focuses not on normative models of global

democracy, nor on an assessment of contemporary global institutions, but on understanding the factors behind processes of change that might lead to increased democracy in global governance. In this paper I examine reform processes that might fall short of real democratization, but still increase the accountability and transparency of the IO and broaden participation beyond traditional shareholders. Some would argue that such reforms are the first step toward more democratic global governance. Others warn that the reforms lack substance and constitute an obstacle to real democratization beyond the nation-state, because they provide fundamentally undemocratic arrangements with an image of democratic legitimacy. It is not the aim of this study to argue in favour of any of these positions. However, understanding the driving forces behind such reforms is important from both perspectives. Hence, I suggest a framework for analysing the impact of CSOs on governance reforms in IOs, but leave the actual consequences of those reforms for other studies.

The overall aim of this paper is to map out and analyse different civil society strategies to democratize global governance. The focus on CSOs is based on the prominent role such actors are given in most visions of global democracy. I argue neither that CSOs are the most influential actors in global governance, nor that they are necessarily the most pro-democratic forces. In order to fully understand reform processes in IOs we also need to account for the interests and activities of states and private corporations as well as the management and staff of IOs. Such a comprehensive analysis is not possible to perform within the scope of this limited paper. Hence, the role of states, IO bureaucracies and transnational corporations (TNCs) will be included in the analysis only when relevant from the perspective of civil society strategies to democratize IOs. While having a primary interest in civil society advocacy strategies aiming at democratizing global governance, I find it useful to apply a somewhat broader and more basic framework dealing with civil society influence on IOs in general.

Having identified different forms of civil society-IO interaction and different civil society strategies, the aim is also to explore when CSOs are likely to have a democratizing impact on IOs. Extant research on civil society influence on global governance relate the relative success of civil society campaigns to a number of conditions, including issue and target characteristics (cf Keck and Sikkink 1998). Here, I will have to limit the focus to the different civil society strategies themselves.

As an empirical illustration of the general research problem outlined above, I focus on the case of civil society interaction with the Asian Development Bank (ADB). The ADB, like other regional development banks, for long was not known for any democratizing policy reforms. In 2001 a network of CSOs described the ADB as “an arrogant institution that is one of the most non-transparent, undemocratic, and unaccountable organizations in existence” (Bello and Guttal 2001). However, during recent years the ADB seems to have strengthened its democratic legitimacy. In an evaluation from 2007 the ADB was put forward as an IO with comparatively strong democratic credentials. On criteria such as transparency, participation, evaluation and response to complaints, the ADB scored better than most other international governmental as well as nongovernmental organizations included in the study (Lloyd, Oatham, and Hammer 2007). What appears to be a sudden and unexpected democratization of the ADB is a puzzle worth investigating in more detail. The ADB is an interesting case, not only because of the recent reforms, but also because of its character as a regional organization with a membership far beyond its regional focus. The significant influence of both the most powerful Asian states (Japan in particular) and the major Western powers within the ADB gives the organization a distinct dynamic that differs from IOs with a global scope, such as the World Bank. Likewise, civil society networks targeting the Bank are to a large extent based in Asia (especially the Philippines) although with a significant participation of major Northern based INGOs too. The analysis of interactions between an IO and civil society networks with a regional Asian character can give new insights in a field where most previous research has focused on Northern based global or regional organizations (e.g. UN, World Bank, IMF, EU) and mainly Northern-based activist networks.

The following specific research questions guide the analysis: What strategies have CSOs used to try to influence the ADB in a democratic direction? Are there any indications of CSO influence on ADB internal governance reforms? If so, which strategies seem to have been more effective? The explorative nature of this analysis (and the fact that this is still very much work in progress based on incomplete empirical data) means that I will only be able to offer very tentative and preliminary answers to these questions.

Attempting to trace reform processes within the ADB, I draw on ADB and CSO documents as well as interviews with key figures within the ADB and CSOs interacting with the Bank.<sup>1</sup> The paper proceeds in the following way. Having now outlined the main research problem, I present an analytical framework focusing on different forms of civil society-IO interaction and the influence of CSOs on IOs. This framework is then applied to the case of civil society attempts to democratize the ADB. The empirical analysis offers an overview of the ADB and its relations with CSOs, identifies different recent internal governance reforms that might strengthen the democratic credentials of the IO and explores the influence of CSOs on one of these reforms: the accountability mechanism. Finally I draw some tentative conclusions and suggest avenues for future research.

## **Civil Society Interaction with International Organizations: A Framework for Analysis**

In order to explain change in IOs scholars have tended to focus either on external pressure or internal institutional learning (Fox 1998). External pressure can come from many different actors, including states, business, and civil society. Without denying the importance of internal factors or external pressure from state and business interests, I focus on the attempts of CSOs to put pressure on IOs to implement reforms in a democratic direction. I first outline different forms of civil society interaction with IOs and then turn to the tricky question of assessing civil society influence.

Civil society interaction with IOs is not a new phenomenon. NGOs have interacted with UN agencies since the world organization was established (McKeon 2009: 8) and there are many historical example of transnational advocacy campaigns partly targeting IOs (Keck & Sikkink 1998). However, there are indications that such relations have increased considerably during the past decades (Steffek & Nanz 2008; McKeon 2009: 8). Not all CSOs interacting with IOs

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<sup>1</sup> I conducted 24 semi-structured interviews with current and former ADB staff and management as well as civil society activists targeting the Bank. Most of these were face-to-face interviews carried out in Manila in March 2009. A few former ADB staff, government officials and civil society activists with experience of the ADB were interviewed in Europe during the winter and spring of 2009. Interviews lasted between 30 minutes and two hours. One interview was done through e-mail.

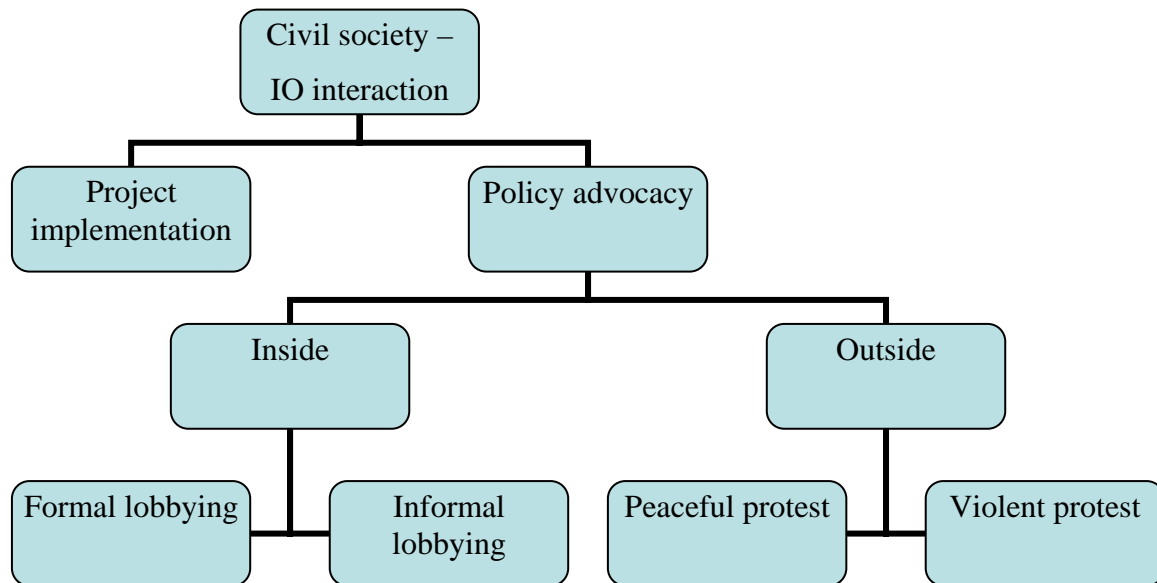
try to influence global policy-making. A large number of NGOs, especially in the field of development, are hired by IOs to contribute to the implementation of specific projects (Steffek & Nanz 2008: 23). The World Bank, for instance, have “operational collaboration” with NGOs as service providers and draws on the expertise of NGOs in the formulation of its economic and sector work (O’Brien et al. 2000, ch. 2).

We can distinguish between two basic forms of civil society-IO interaction: project implementation and policy advocacy. These are ideal types and real CSOs might be involved in both. An NGO working with the implementation of a World Bank funded social development project, for instance, may also lobby the World Bank in order to influence the character of the project as well as more general Bank policies on social development. However, from a political perspective, and more specifically an interest in the potential of CSOs to contribute to a democratization of IOs, policy advocacy is more significant. While acknowledging that much (perhaps even most) civil society-IO interaction takes the form of project implementation, I will focus on policy advocacy.

There are several varieties of policy advocacy. A common distinction is between “inside” and “outside” CSO advocacy strategies. Inside strategies refer to lobbying activities within IOs, involving direct interaction with IO management and staff. This can take the form of formal as well as informal lobbying. Formal lobbying occurs at specific meetings and includes written and oral statements in accordance with the IO’s established consultation processes. Informal lobbying refers to ad hoc interaction with specific IO staff or management beyond any formal procedures and often kept secret to other representatives of the IO. Outside policy advocacy does not involve direct meetings and negotiations between CSOs and IO representatives. Instead CSOs try to influence the IO through protest activities, including rallies and demonstrations outside IO headquarters or summit venues. Such protest activities tend to rely on various forms of non-violent civil disobedience, but more violent protest activities have received much media attention.

The different forms of civil society-IO interaction are schematically summarized in figure 1. It should be stressed that a specific CSO may use several of the identified advocacy strategies simultaneously. Inside and outside strategies are often combined. It is not uncommon that the same people who demonstrate outside an IO conference venue negotiate with representatives of the IO inside the building.

**Figure 1. Forms of Civil Society Interaction with International Organizations**



CSO advocacy targeting IOs (including state representatives, management, and staff) may take many different forms. Inside as well as outside strategies tend to make use of the “power of ideas” and persuasion. This is the character of transnational advocacy tactics aptly identified by Keck & Sikkink (1998: 16-24) as “information politics”, “symbolic politics”, “leverage politics”, and accountability politics”.

Framing is a central aspect of policy advocacy. It refers to the construction of meaning as an active and contentious process (Benford & Snow 2000: 614). A central activity of social movements and other civil society actors is the production of mobilizing ideas and meanings. The complexities of global governance constitute specific challenges for civil society framings. CSOs targeting an IO need to frame their cause in a way that resonates with politically and culturally diverse audiences. Inside strategies draw on framings that resonate with IO representatives. For lobbying activities to be effective the framing should not be completely different from the way IO representatives (or rather certain reform oriented decision-makers within the IO) perceive of the issue. Outside strategies, by contrast, require framings that have the potential to mobilize broader support and influence public opinion through mass media.

Inside strategies are common, especially among more moderate, reform oriented CSOs. Many IOs provide various avenues for formal lobbying. Since the 1970s there has been intensive lobbying by numerous NGOs at world conferences sponsored by the UN (Friedman, Hochstetler & Clark 2005). UN world conferences are not the only example. In fact almost all IOs have opened up some channels for consultation and participation with certain CSOs. All UN entities and specialized agencies have established some unit responsible for civil society relations (McKeon 2009: 123). Out of 32 global and European IOs examined in a recent study, only two (the Bank for International Settlements – BIS – and the North Atlantic Treaty Organization – NATO) did not have any form of consultation with civil society actors (Steffek & Nanz 2008: 18-19).

During the height of neoliberal economic policy in the 1990s civil society and broader stakeholder participation in multilateral development banks (MDBs) was extremely limited. Structural adjustment policies were negotiated with finance ministries in a non-transparent way and labour unions and other CSOs were effectively excluded from influence. Since then there has been an increased focus on norms of transparency, accountability and participation, to a large extent driven by sustained transnational civil society campaigns targeting neoliberal global governance in general and MDBs in particular.

Outside advocacy strategies typically include mass mobilization for various protest activities. Nonviolent civil disobedience disrupting global elite meetings have been common during the last decade. The so-called “Battle of Seattle” during the WTO meeting in November 1999 is often considered the starting point, but there had been many similar events before, albeit with less participation from the global North (ref). In Seattle a number of movements and organizations with different aims and ideologies came together in a united protest against the WTO. Organized around a large number of independent “affinity groups” which sent representatives to a coordinating spokescouncil, activists developed an organizational form that proved effective in disrupting the meeting and gaining media attention. One activist argued that the Seattle police was unprepared despite months of open preparations because the protesters’ style of organizing appeared so chaotic that they were not perceived as a threat (Starhawk 2001: 54). Similar tactics, including a decentralized organization, with affinity groups and units responsible for nonviolence trainings, communication strategies, media training, etc. were applied at the IMF meeting in Washington, D.C. in April 2000. More than

200 CSOs were involved in the protests which were part of the 50 Years Is Enough campaign.<sup>2</sup>

The choice of inside versus outside strategies is obviously a matter of political and ideological conviction. Moderate reform oriented NGOs tend to prefer to work inside IOs and use their formal participation to try to achieve some desired changes in IO policies. Radical movements and activist networks aiming at more fundamental global change typically make use of the more confrontational outside strategies. There is also a North-South dimension as Northern based INGOs tend to be overrepresented among those favouring inside advocacy (within IOs based in the global North) whereas Southern based CSOs tend to use more confrontational outside strategies. Observing civil society activities at large UN sponsored conferences Friedman, Hochstetler and Clark (2005: 39-40) noted that large NGOs from the North focused on formal lobbying while NGOs from the South, especially Latin America, saw the conferences mainly as an opportunity to network with other NGOs.

Inside or outside strategies are not only the choice of civil society actors. IOs affect the strategies of CSOs, for instance through the creation of formal and informal access points for advocacy groups (Joachim & Locher 2009). IOs also tend to be selective in which CSOs they interact with. Whereas moderate NGOs perceived as useful for the IO are invited and accredited, more radical social movements and people's organizations are often excluded (cf. McKeon 2009: 130, 155).

Following this overview of civil society-IO interaction, we now turn to the question of actual civil society influence on IOs. CSOs have been shown to have some influence on a number of global governance issues and the policies of IOs in diverse fields. Environmental CSOs influenced the agreement on controlling greenhouse gases at the Rio Earth summit in 1992 (ref). Reforms in the World Bank in the 1990s were partly a result of pressure from CSOs. The movement on the Narmada dam project, for example, had an impact on the creation of the World Bank inspection panel (Clark 2002) and the "50 Years Is Enough" and other campaigns had an impact on World Bank policy reforms (Njehu & Ambrose 2001). The transnational campaign to ban landmines in the 1990s is often put forward as one of the most successful transnational advocacy campaigns (Price 1998). In 1998 activists managed to stop

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<sup>2</sup> For insiders' accounts of how the protests were planned see Njehu & Ambrose 2001.

the Multilateral Agreement on Investment (MAI) negotiated within the OECD (Grewal 2005). The previously mentioned “Battle of Seattle” in 1999 was also seen as a success by many activists, having an impact on the WTO. The “Jubilee 2000” campaign has achieved reduction in the debts of poor countries (Shawki 2010). The establishment of the International Criminal Court was strongly influenced by CSOs (Glasius 2008). There has been significant civil society influence on FAO policies on the right to food (McKeon 2009). Not only states and IOs but also TNCs have been the targets of transnational activist campaigns and forced to change their practices. In the 1970s and early 1980s Nestlé was targeted for the sale of powdered baby milk in poor countries. In 1984, following a campaign lasting more than 7 years, including a boycott of Nestlé products, the company was forced to sign an agreement that it would implement the WHO/UNICEF International Code of Marketing of Breast-milk Substitutes (Sikkink 1986). Another giant TNC that has been targeted in a transnational campaign is Nike. Criticizing poor labour conditions in factories producing Nike sport shoes, protesters managed to influence the company to implement some changes (ref).

Is it possible to draw any general conclusions from these examples of CSOs’ influence in global governance? To what extent and under what condition are CSOs’ strategies of policy advocacy successful? First of all we need to clarify what we mean by influence. CSO policy advocacy can have influence in different phases of the policy process, including agenda-setting, decision-making, implementation, and evaluation.<sup>3</sup> Similarly, Keck & Sikkink (1998: 25), in their seminal work on transnational advocacy networks, distinguish between influence on agenda setting, the discursive positions of states and IOs, institutional procedures, policy change, and state behaviour. This means that policy advocates can have an influence on both process and outcome (Corell & Betsill 2008: 27).

Extant research indicates that CSOs have most influence on agenda-setting (Friedman, Hochstetler & Clark 2005: 160; Betsill & Corell 2008; Joachim & Locher 2009: 173; McKeon 2009: 132). In a study of NGO advocacy at UN sponsored world conferences Friedman, Hochstetler and Clark (2005: 160) concluded that NGOs influenced agenda-setting, but governments controlled decision-making and determined the extent of NGO-access.

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<sup>3</sup> Steffek (2008) distinguishes between six phases in the policy process: agenda-setting, research and analysis, policy formulation, policy decision, policy implementation, and policy evaluation. For the purpose of this study I find a less detailed model sufficient.

Similarly, McKeon (2009) claims that the increasing civil society access to the UN system mainly means episodic participation instead of meaningful involvement in global governance. Nevertheless, CSOs can have policy influence that goes beyond having an impact on agenda-setting. Transnational campaigns targeting the World Bank, for instance, have had more influence on policies than on specific projects (Fox & Brown 1998: 535). However, policy influence has often been modest and only resulted in “degrees of change” (Fox & Brown 1998: 13; ch 13). Based on comparative case studies of interaction between the World Bank, NGOs and grassroots movements, Fox and Brown (1998: 2) conclude that “the Bank has to a small and uneven but significant degree become more publicly accountable as the result of protest, ongoing public scrutiny, and empowering effect on insider reformists”. The role of CSOs in strengthening the accountability of the World Bank has been relatively thoroughly researched (Fox and Brown 1998; O’Brien et al. 2000, chs. 2, 4; Clark 2002; Clark, Fox and Treacle 2003).

The use of effective framing strategies may explain the successful outcome of an advocacy campaign. Comparing two transnational campaigns – the Jubilee 2000 movement and campaign for a currency transaction tax (the Tobin tax) – Shawki (2010) argues that the former has been much more successful due to a more efficient framing. The Jubilee 2000 has managed to lobby IFIs and major governments to implement debt relief packages to fight poverty. The relative success of this transnational advocacy campaign can be explained by the purposeful use of frames that resonate with international norms and values and provide convincing policy proposals. Strategic framing is a form of soft power (Sikkink 2002; Shawki 2010: 210). Issue characteristics may also determine the influence of advocacy campaigns. Keck and Sikkink (1998: 27) observed most influence by transnational advocacy networks on issues involving “bodily harm to vulnerable individuals” and “legal equality of opportunity”. More influence was also found in cases involving dense advocacy networks and vulnerable targets (Keck & Sikkink 1998: 28-29).

Proving an actor’s influence on a specific process or outcome is methodologically very difficult. I will interpret as an indication of an actor’s influence on the ADB if I find a) similarities between initiatives from the actor and decisions on, and implementation of, ADB reforms, and b) testimonies about the actor’s influence by several different actors involved in the process. Moreover, I will apply counterfactual analysis, asking what would likely have

been the outcome if there had been no involvement from the actor (cf Corell & Betsill 2008; Scholte 2008: 26).

In sum, reviewing extant research on the interaction between CSOs and IOs I have identified a number of different forms of interaction, implying different civil society strategies. I have also discussed cases in which CSOs have been said to have had influence and under what conditions CSO influence on IOs is likely. We now turn to the empirical analysis.

## **ADB Reforms and Civil Society Activism**

### **The ADB**

The ADB is a MDB with the mandate to reduce poverty and increase growth in Asia and the Pacific. Like other regional development banks it performs similar functions to the World Bank, but on a regional level. It provides financial support through low-interest long-term loans and grants and advice concerning development policies to developing countries in the Asia-pacific region ([www.adb.org](http://www.adb.org)). Most money goes to large infrastructure projects. In 2007 39 % of ADB's annual lending went to transport and communication and 16% to the energy sector, whereas education and health sectors received only 1 % each (NGO Forum on ADB and Bank Information Center 2008: 12). Traditionally most loans have been directed to the public sector, but in recent years loans to private sector projects have increased. Since the 1990s, the ADB also provides program loans aiming at policy reforms within a specific sector, like water or energy. These loans have often promoted privatization. Established in 1966, with the Japanese government as a main initiator, the Bank has its headquarters in Manila and 26 field offices in different member countries. The ADB is owned and financed by its 67 member countries, of which 48 are from the region. The highest decision-making body of the ADB is its Board of Governors, consisting mainly of finance ministers from each member country. They meet once a year at the ADB annual meeting. The Board of Governors elects the ADB President for a 5 years term. The President of the ADB has always come from Japan. Many other key positions are also held by Japanese nationals. All operational decisions are taken by the 12 people in the Board of Directors, who are primarily officials from member governments' ministry of finance (or, in the case of several European members, the ministry

of foreign affairs). The Board of Directors meets twice a week to make decisions on all loans, guarantees and technical assistance grants. Voting power is determined by the amount of investment in the ADB. This means that the non-borrowing members have more than 60 % of the voting power. Japan and the USA are the largest contributors with almost 13 % of the total votes each. Like in other IOs, decision-making typically aims at consensus, but this is a form of consensus that is established on specific power relations (cf Böås & McNeill 2003: 8). Large borrowers like China and India also have considerable influence as the ADB would lose significant business without their borrowings.

### **ADB-Civil Society Relations**

It was not until the late 1980s that ADB was challenged by civil society actors. Criticism from the Asian NGO Coalition (ANGOC) and other NGOs forced the Bank to engage in a more open dialogue with civil society actors (Tadem 2003: 381). Compared to the World Bank and the IMF, however, the ADB has had a lower profile and not been targeted by transnational social movements and NGOs to the same extent. This partly changed following the 1997 Asian financial crisis when the ADB took a prominent role in economic recovery (Tadem 2008: 1). Large protests at the ADB Annual Meeting in Chiang Mai, Thailand, in 2000 made it obvious that the ADB was unprepared to handle radical civil society criticism. A comprehensive review of the ADB's institutional arrangements for interaction with NGOs began. This resulted in the "Report of the Task Force on Institutional Arrangements for Cooperation with Nongovernment Organizations" which recommended that more resources should be allocated to cooperation with NGOs, including the establishment of an "NGO-Center" (Curtis 2004: 5).

In the 1980s and 1990s the ADB viewed NGOs mainly as sources of information on local conditions and potential implementers of certain aspects of development projects. Since then NGO involvement in ADB's loan and technical assistance activities has increased. In 1997, 27 of 72 loan approvals involved NGOs in some way. In 2008 the ADB claims that more than three quarters of ADB loans feature some kind of civil society involvement ([www.adb.org](http://www.adb.org)). Direct funding of NGO projects, however, is rare. ADB tends to work directly with governments and project proposals typically pass through public authorities. Most civil society involvement in ADB activities is still about consulting NGOs as experts in specific issue areas or hiring them for the implementation of certain projects. According to an internal

ADB evaluation, only 3 % of CSO engagement with the bank can be categorized as policy advocacy (ADB Operations Evaluation Department 2006: 19).

Nevertheless, civil society advocacy targeting the ADB has increased. Much of this advocacy is coordinated by the NGO forum on ADB, a network of CSOs in Asia and the Pacific. Focusing on social justice, gender, the environment etc., they unite in a struggle against ADB policies, projects and programs that they believe threaten people's lives and the environment. The main goal of the Forum is to make the ADB responsible and accountable for the impacts of its projects and policies. The Forum criticises both the ADB's development paradigm, which is described as top-down, pro-market and oriented towards economic growth, and the lack of accountability of the institution. The Forum tries to influence the ADB to adopt "poverty reduction focused and grassroots-based policies for sustainable development" and demands a thorough democratization of policy-making processes within the Bank (<http://www.forum-adb.org/>).

Philippine-based NGOs were instrumental in the establishment of the network in 1991. Activists were concerned about the lack of attention to the ADB compared to IOs like the World Bank and the IMF. With a secretariat in Quezon City, the Philippines, the Forum has now established regional working groups in Central Asia, the Mekong subregion, Pacific, South Asia and Southeast Asia. There is also participation from Europe, Japan, Australia and the United States. The Forum stresses its autonomy in relation to the ADB. Member organizations must not receive any money from the ADB. Unlike many contemporary transnational activist networks which tend to avoid formal representative structures, the NGO Forum on ADB has an International Committee with elected representatives from each of the sub-regional working groups. The Forum Annual Meeting is the highest decision-making body, whereas the secretariat in Manila coordinates the day-to-day activities. The Forum claims to adhere to principles of "transparency, accountability and participatory decision-making" (<http://www.forum-adb.org/>).

The Forum facilitates its member organization's monitoring of ADB operations in the respective subregions and supports advocacy activities, including making use of the ADB's accountability mechanism for community complaints against ADB-funded projects. This means that the Forum Secretariat has direct contact with the ADB's Board of Directors, management and staff concerning specific projects. It also participates in consultations

regarding the review of ADB policies. The Forum publishes a quarterly magazine, “Bankwatch” and a number of other documents criticising ADB policies. In addition to its website, the Forum maintains a number of e-mail lists covering information on different aspects of ADB’s policies and projects.

Lobbying by the NGO Forum on ADB and other CSOs take many different forms. The ADB has developed a number of formal institutions and mechanisms for consultation with advocacy NGOs. NGOs have increasingly been invited to take part in deliberations on policy reforms. ADB now officially acknowledges the important role of CSOs in enhancing accountability, responsiveness and participation. Whereas ADB tends to include mainly uncritical and moderate NGOs in collaborative arrangements, the Bank also interact with more critical civil society activists ([www.adb.org](http://www.adb.org)). Since 1987 the ADB has an official policy concerning its cooperation with NGOs. NGOs have attended the ADB Annual Board Meetings since 1989 (<http://www.forum-adb.org/>). In 2001 ADB established an NGO Centre (renamed the NGO and Civil Society Centre in 2005), to coordinate its cooperation with civil society actors. The NGO Center holds more or less regular meetings with members of the NGO Forum on ADB. The NGO and Civil Society Center is also building up a “NGO Cooperation Network” within the organization, including staff in other departments. In an internal ADB evaluation on the involvement of CSOs in ADB operations, the network of NGO anchors in resident missions is highlighted as an important resource ensuring engagement with CSOs at an early stage in the country strategy and programming processes (ADB Operations Evaluation Department 2006).

There are consultations with CSOs on a number of specific policies and issues. Annual meetings, and “lobby days” provide fora for representatives of advocacy NGOs to meet with ADB staff (ADB 2005; Curtis 2004: 15). In 2006 the ADB published a “Staff Guide on Consultation and Participation” to strengthen the involvement of civil society organizations in ADB-funded activities.

Nevertheless, a report from a network of donor countries concludes that the ADB “contributes actively to private sector participation in the policy dialogue; less so with regard to the promotion of NGO participation” (MOPAN 2006: 29). ADB itself admits that while maintaining a lively interaction with implementing NGOs, the Bank is less engaged with advocacy NGOs, “due to ADB’s different mandate” (ADB 2006). A former ADB staff argues

that civil society participation is poorly institutionalized and depends on the staff responsible for a particular project. She describes most civil society engagement with the ADB as “token participation” (interview, 29 January 2009). Civil society activists themselves are also suspicious against many of the formal mechanisms for consultation provided by the ADB. The head of the NGO Forum argues that the ADB’s establishment of avenues for civil society engagement should be seen as a form of containment in order to avoid more radical protests (interview, 19 March 2009).

Informal lobbying is often considered more effective. NGOs frequently approach not only the ADB NGO Centre, but also management and staff on various levels (interviews, 16 and 17 March 2009). E-mail addresses of individual management and staffs are available on the web page so it is easy to approach any representative of the organization. Sometimes ADB staffs – especially in the Social Development department – actively seek out NGOs to get input. Informal contacts between ADB representatives and CSOs may provide invaluable information in the form of leaked documents etc. The head of the NGO Forum claims to receive an unofficial e-mail from some staff or Board member about new documents etc. at least every second week. He considers such informal relationships extremely important for the work of the NGO Forum (interview, 19 March 2009).

Formal and informal lobbying are inside strategies. The NGO Forum and other CSOs also apply outside strategies. Demonstrations and other protest activities are common, not least in connection with ADB Annual Meetings. Civil society protests against ADB-funded projects have often focused on controversial dam constructions. One of the biggest protests against the ADB was organised by Thai NGOs and social movements at the ADB Annual Meeting in Chiang Mai in 2000. The anti-ADB campaign in Chiang Mai combined two strategies: the organization of a parallel conference to the ADB conference and demonstrations during the ADB Annual Meeting (Tadem 2003). Criticism focused on the ADB-funded Wastewater Treatment Project, in the province of Samut Prakan. Protesters complained about the lack of environmental assessment when the project site was changed and claimed that the project threatened to destroy the livelihood of 14 villages. There were also allegations of corruption as land was bought at an artificially high price. When a network of Thai NGOs and people’s organizations staged demonstrations outside the conference venue, ADB President Chino refused to meet the protesters, instead sending the ADB NGO-coordinator (Tadem 2003: 385). In order to prevent such protests the following year, the meeting was held in Hawaii,

which made it more difficult for Asian activist to take part in protest activities at the meeting site (Hirsch 2001: 240).

The difference between inside and outside strategies should not be exaggerated. The NGO Forum on ADB has even decided to abolish the term “inside-outside strategy” as it is seen as a false dichotomy. If you want to stop a project or policy you do whatever you have to do. It does not matter if you are inside or outside, argues the head of the NGO Forum (interview, 19 March 2009). While the NGO Forum is involved in formal lobbying activities and works closely with certain members of the Board of Directors – different from time to time depending on the issue – the civil society network also works outside the ADB, organizing various protest activities and trying to reach out to the media, and not least working in close cooperation with people directly affected by ADB projects on the ground.

Estimations of the actual influence of CSOs on ADB policies vary. The NGO Forum on ADB and other CSOs naturally claim that they have been successful in pressuring for different policy reforms. Representatives of the ADB also claim that CSOs have considerable influence on a number of policies and projects, e.g. the ADB safeguard policy, water policy, and HIV/AIDS projects. Influential NGOs mentioned include the NGO Forum on ADB, the World Wildlife Fund (WWF), and Transparency International (interview, 16 and 18 March 2009). The campaign against the ADB during the Annual Meeting in Chiang Mai in 2000, mentioned above, has been described as successful in influencing the Bank (Tadem 2007). The protests forced the ADB to implement reforms, including replacing the NGO Coordinator’s Office with a more resourceful NGO Center. However, civil society activists may be inclined to exaggerate their own achievements and in a context of an increasingly strong norm of civil society participation in global governance representatives of the ADB are eager to give the impression that the organization listens to CSOs. Other people with insights in ADB operations argue that civil society influence is very limited. Several former ADB staff claim that whereas Western-based NGOs like the BIC try to influence the bank, CSOs from developing countries have little or no role in the formulation of ADB policies. One former ADB staff says: “I participated in country programming missions for five years and in my view, input from civil society was minimal. Any interaction was in the form of after the fact consultations” (interview, 3 March 2009). Personally she found interaction with CSOs useful, but she was frustrated by the lack of interest from her managers who focused almost exclusively on governments.

In order to draw any conclusions on civil society influence on the ADB we have to examine specific policy reforms.

### **ADB reforms**

The democratic deficits in MDBs and other IOs are often described as a lack of transparency and accountability and too limited participation (cf. Woods 2000; Bexell, Tallberg & Uhlin 2010). On all these aspects the ADB has implemented reforms during recent years. Concerning transparency, a new Public Communication Policy was established in 2005. Civil society and broader stakeholder participation has been strengthened through the establishment of the “NGO and Civil Society Center” in 2001 and a “Staff Guide on Consultation and Participation” in 2006. In order to improve ADB accountability to people affected by its projects, a new accountability mechanism was implemented in 2003. It goes beyond the scope of this paper to assess to what extent these policy reforms have really strengthened the democratic credentials of the ADB. According to an independent evaluation of the London-based NGO One World Trust these reforms seems to have been rather successful as the ADB is considered a relatively strong performer on various aspects of accountability.<sup>4</sup> The NGO Forum on ADB and other CSOs has been involved in these reform processes. Protest activities at Annual Meetings and other forms of pressure from CSOs forced the Bank to reconsider its civil society policies and contributed to the establishment of the “NGO and Civil Society Center” and the implementation of the “Staff Guide on Consultation and Participation”. CSOs were actively involved in the review process of ADB policies on

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<sup>4</sup> The One World Trust aims at making global governance more accountable. As a part of this endeavour the OWT publishes an annual “Global Accountability Report”, assessing accountability credentials of 10 intergovernmental organizations (IGOs), 10 international nongovernmental organizations (INGOs) and 10 transnational corporations (TNCs). These global governance actors are assessed on four dimensions: transparency, participation, evaluation, and complaint and response (Lloyd, Oatham & Hammer 2007). Based on interviews and internal documentations from each organization as well as secondary data and expert and stakeholder input, each organization is given a score between 0 and 100 for each of the four accountability dimensions. In the 2007 Global Accountability Report, the ADB received an average score of 81 % (Lloyd, Oatham & Hammer 2007: 7). This is the same score as the best performing INGO (Christian Aid) included in the assessment and of all 30 organizations evaluated ADB’s performance was second only to the UN Development Program (UNDP). Out of the 30 organizations evaluated, the ADB was one of only three organizations that received scores above 70 % in all four dimensions.

transparency and accountability. In order to say something more specific about CSO influence I single out one of these reforms – the accountability mechanism – for more in-depth analysis.

## **Accountability**

Like the other MDBs, the ADB cannot be subject to any judicial proceedings. No legal action can be taken in a court against the ADB in any of its member countries. Hence it is very difficult to hold the Bank accountable when it violates international declarations or national laws. ADB's own accountability mechanism is therefore the only way people affected by ADB-projects can hold the bank accountable.

In the 1990s there were increasing demands from civil society as well as donor governments that IFIs should become more accountable. As a reaction the World Bank introduced an Inspection Panel in 1993, which became precedent-setting (Fox 2000). The Inter-American Development Bank established a similar mechanism in 1994.<sup>5</sup> ADB's inspection policy became effective in October 1996. It consisted of an Inspection Panel similar to the World Bank Inspection Panel. Experiences from the three cases handled by the ADB Inspection Panel – the Korangi Waste Water Treatment Project in Pakistan, the Samut Prakan Waste Water Project in Thailand, and Southern Transport Development Project in Sri Lanka - were largely negative and indicated a number of problems. The ADB rejected the inspection request concerning the Korangi waste water treatment plant in Pakistan, claiming that it did not cite ADB policy violations. The Samut Prakan project was the first case accepted by the Inspection panel in July 2001. However, there was a lengthy bureaucratic and non-transparent process. The Thai government did not cooperate and the ADB was not able to ensure Inspection Panel visits to the project site. In February 2002 the ADB's Inspection Committee concluded that the Bank did not comply with its own policies, but recommendations were very weak.

In 2001 the ADB set up an internal working group to review the inspection function. Two staff consultants were hired for the review process in 2002 (ADB 2003: 6). During 2002 and

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<sup>5</sup> The European Bank for Reconstruction and Development, however, did not introduce its accountability mechanism until 2004, and the African Development Bank not until 2006.

early 2003 a number of internal and external consultations were held. Public consultations took place in 10 member countries. However, planned consultations in Bangkok (the Samut Prakan project) and Colombo (the Southern Transport Development project) did not take place (ADB 2003: 48), indicating how sensitive those inspection cases were. Representatives of governments, the private sector, civil society, project-affected people, and complainants to the Inspection Panel were involved in the consultations. The whole review timetable was published on the ADB website. First and second drafts of the proposed new accountability mechanism were discussed during 2002. E-mail comments were encouraged and comments were posted on the ADB website. In May 2003 ADB Board of Directors decided on the new accountability mechanism.

CSOs, including the NGO Forum on ADB, were invited to take part in the review process. A 40 pages document with detailed recommendations concerning the ADB Inspection Policy was submitted by the Washington based Bank Information Center (BIC), the NGO Forum on ADB, Oxfam, the International Rivers Network and a number of NGOs from Pakistan and Sri Lanka in March 2002 (BIC et al 2002). BIC and the NGO Forum also organized a seminar on the inspection policy at the ADB Annual Meeting in Shanghai in May 2002.

Inside strategies were prominent as the NGO Forum on ADB and other CSOs participated in ADB's formal review process and submitted detailed recommendations. Activists involved also testify to the importance of informal contacts with reform oriented representatives of the ADB Board of Directors. However, more confrontational "outside" strategies were also important in putting pressure on the ADB and strengthening pro-reform management and staff within the Bank. The demonstrations at the ADB Annual Meeting in Chiang Mai in May 2000, in particular, contributed to this.

The NGO Forum on ADB claims to have played an important role in shaping the new accountability mechanism (<http://www.forum-adb.org/>). A closer examination of the demands and recommendations put forward by CSOs indicates that many of these were indeed incorporated in the new accountability mechanism. (Table 1.)

**Table 1. Comparison between civil society demands concerning ADB accountability and final accountability mechanism**

Civil society demands in review of Inspection Panel, 2002	Accountability Mechanism, May 2003
Establish permanent Inspection Panel and abolish Board Inspection Committee.	Demand met. Inspection Panel and Board Inspection Committee replaced by a) Special Project Facilitator (SPF) and b) Compliance Review Panel (CPR), both permanent bodies.
Inspection function should be independent of management and Board of Directors.	Demand to some extent met. SPF should have integrity and independence from ADB operations departments and CPR should have integrity and independence from ADB management.
Create a more user-friendly process assisting complainants. No requirements for citing non-compliance.	Demand to some extent met. Easier process. Outreach program. Advice should be provided to prospective complainants. No requirements for citing non-compliance.
Complaints should be accepted in local languages and information on inspection function made available in local languages.	Demand met. English working language, but complaints in any of the “official or national languages” of ADB’s developing member countries accepted. Information available in other languages than English.
The process should be transparent.	Demand to some extent met. Information disclosure concerning major aspects of the processes, but SPF and CRP will “exercise discretion” and not give any media interviews during any stage of the consultation and compliance review.
Site visits should be mandatory.	Demand not met. Site visits “in consultation with the borrowing country”. Not mandatory, but “ADB expects that site visits will be a routine and noncontroversial aspect of the accountability mechanism” (ADB 2003: 14).
Include private sector loans.	Demand met. Private sector loans included
Ensure implementation of remedial measures.	Demand not met. No clear statement on the implementation of remedial actions. SPF and CRP will monitor implementation.

Sources: Bank Information Center (BIC) et al. *Strengthening Public Accountability. Recommendations to the Asian Development Bank (ADB) for Revising its Inspection Policy*, March 18, 2002; ADB, Asian Development Bank (2003) *Review of the Inspection Function: Establishment of a New ADB Accountability Mechanism*, May 2003.

The old Inspection Panel was not a permanent body. Inspection requests were handled by the Board Inspection Committee, consisting of ADB Board members. Hence the process lacked independence. CSOs demanded that the Board Inspection Committee should be abolished and a permanent Inspection Panel independent of management and the Board of Directors should be established. The new accountability mechanism includes a consultation phase and a compliance review phase and replaces the previous Inspection Panel. People who believe they are negatively affected by ADB-sponsored projects can submit complaints to the Office of the Special Project Facilitator (OSPF). The Special Project Facilitator reviews the complaint and proposes a problem-solving method, including consultation with the complainants and ADB staff. After completing this process the Special Project Facilitator writes a report to the President of ADB who makes the final decision. If complainants are not satisfied with the outcome of this process, complaints can be submitted to the Compliance Review Panel (CRP). If the Panel considers the complaint eligible and receives authorization from the Board of Directors it conducts a compliance review, in which all stakeholders are consulted. This eventually results in a report from the Compliance Review Panel to the Board of directors, which will make a final decision on the recommendations in the report.

Both the SPF and the CPR are permanent bodies and they are more independent than the previous Inspection Panel. The SPF, according to the ADB policy document, should have integrity and independence from ADB operations departments and CPR should have integrity and independence from ADB management. However, the accountability mechanism is not autonomous, but an integral part of the ADB. The SPF is appointed by and reports directly to the President. CPR members are approved by the Board of Directors upon recommendation of the President and reports directly to the Board. We can conclude that civil society demands have been met, at least to some extent, as the new accountability mechanism features permanent and more independent bodies compared to the previous Inspection Panel.

The old Inspection Function was criticized for being too complicated, in practice preventing most affected stakeholders from using it. Communications were to be made in English, and complainants were required to cite what specific ADB policies they claimed the bank did not comply with. CSOs demanded a more user-friendly process, assisting complainants instead of placing a burden on them. They suggested there should be no requirements for citing non-compliance. These demands were also met, at least to some extent. In the new accountability

mechanism complainants do not have to cite what specific policies they claim the project does not comply with and the whole process is easier. Moreover, both the SPF and CPR should have an outreach program and give advice to prospective complainants. Nevertheless, civil society activists argue that the new accountability mechanism, while better than the old Inspection Panel, is still too complicated.

CSOs also demanded that complaints should be accepted in local languages and that information should be available in local languages. This demand was also met. Furthermore, CSOs wanted a more transparent process. This demand was partly met as the final policy document states that there should be information disclosure concerning the major aspects of the processes. However, it is also stated that the SPF and CPR will “exercise discretion” and not give any media interviews during any stage of the consultation and compliance review. Another demand that was met was that the new accountability mechanism should apply to private sector loans too.

Two important CSO demands were not met. Based on the negative experiences of the Samut Prakan case, CSOs suggested that site visits should be mandatory in the compliance review. On this aspect sovereignty claims of developing country governments were respected as the ADB states that site visits should be made “in consultation with the borrowing country” (ADB 2003: 14). CSOs also demanded that the implementation of remedial measures should be ensured by the ADB, but the final policy document is very vague on this. It is stated that the SPF and CPR will monitor implementation, but the document lacks any more precise statements on this.

On balance, we can conclude that most civil society demands and recommendations appeared in the final policy document, with the important exception of mandatory site visits and guarantees for the implementation of remedial measures. This finding, however, cannot on its own be taken as proof of civil society influence on the ADB. Other actors also put forward demands similar to the CSOs. The review of the Inspection Panel took place in a general context of demands for increased accountability of IFIs. There was pressure from the G7 on all MDBs to create compliance mechanisms (ADB 2003: 42). ADB donor governments specifically demanded a strengthened and more independent and transparent inspection function and the inclusion of private sector projects (ADB 2000: 36-37). The consultation process indicated broad support for an independent accountability mechanism, including a

compliance review panel as an improved version of the World Bank panel (ADB 2003: 8). Hence some of the CSO demands were shared by donor governments and to some extent also representatives of the private sector.

On an issue where CSOs and governments of borrowing countries held opposite views, as the case of site visits in the consultation and compliance review processes, state interests prevailed. Some governments in borrowing countries were concerned that site visits might infringe on their sovereignty (ADB 2003: 13-14) and the final policy document states that “/t/he SPF will not interfere in the internal matters of an DMC and will not mediate between the complainant and local authorities.” (ADB 2003: 15).

In addition to civil society and corporate lobbying and pressure from both donor and borrowing governments, it is also obvious that the World Bank served as an inspiration. The World Bank’s Inspection Panel was a permanent and independent unit separate from management and it reported directly to the Board of Directors. Those characteristics were valued by CSOs and donor governments as well as some ADB management and staff. The problem-solving approach of SPF was partly inspired by the Compliance Advisor and Ombudsman of the International Finance Corporation and Multilateral Investment Guarantee Agency handling private sector projects within the World Bank group (ADB 2003: 38). However, even when acknowledging the influence of the World Bank as a model, we find indirect civil society impact, as pressure from civil society was behind the establishment of the World Bank Inspection Panel. Fox (2000: 279) argues that the World Bank Inspection Panel is “an institution that all parties agree was created in response to sustained advocacy campaigns by coalitions of nongovernmental organizations (NGOs) in the North with NGOs and grassroots groups in the South.”

## **Conclusion**

CSOs have a repertoire of strategies when trying to influence IOs. One way of conceptualizing different strategies for policy advocacy is to distinguish between inside and outside strategies. Inside strategies include formal as well as informal lobbying whereas outside strategies refer to peaceful as well as violent protest activities. In the case of civil

society activism targeting the ADB all kinds of strategies except violent protests have been applied. Inside and outside strategies are frequently combined. The major civil society network focusing on the ADB – the NGO Forum on ADB – works both inside and outside the Bank. There is some evidence that this work – and the work of other CSOs – have influenced internal governance reforms of the ADB. The general pressure from CSOs contribute to the creation of a global norm on the importance of participation, transparency and accountability in global governance and CSOs have come up with quite specific policy recommendations that have been implemented by the ADB, as the case of the accountability mechanism demonstrates. However, the influence of CSOs should not be exaggerated. Formal decision-making rests with state representatives and ADB management has great powers to resist or dilute reforms. Moreover, civil society activists are not the only actors pressuring for democratic reforms within the ADB. Certain donor countries have put pressure on the Bank to implement various governance reforms and some progressive staffs are also in favour of increased civil society participation and accountability to stakeholders. Civil society activism to a large extent rely on the support of such inside reformers and simultaneously strengthens the power of reform oriented management and staff vis-à-vis more hard-line defenders of status quo within the Bank.

If we apply counterfactual reasoning and ask if it is likely that ADB governance reforms would have been shaped in the way they were if there had not been any pressure from CSOs, the answer must be no. It is true that certain donor governments were instrumental in demanding increased accountability and transparency, but without the advocacy of numerous CSOs it is doubtful if those issues had figured prominently on the agenda of any government. While states would like to strengthen IO accountability to member states, interests in broader stakeholder accountability would hardly have been strong if there had not been any civil society campaigns on this issue. On a more general level, civil society activists are important norm entrepreneurs contributing to the development of a global norm on democratic legitimacy in the form of increased transparency, accountability and participation in global governance. It is unlikely that this norm would have been strong if it had been driven and supported only by reformists within states and IOs.

Based on the available empirical material it is hard to say which advocacy strategies have been most effective. Civil society activists themselves stress informal contacts with representatives of the ADB rather than formal processes of consultation, but formal lobbying

also seems to have been influential, as in the case of the accountability mechanism. Outside protests have triggered divisions within the ADB and forced the Bank to initiate policy reforms, as demonstrated by the protests at the Annual Meeting in Chiang Mai. It is arguably the combination of inside and outside strategies that has made the NGO Forum on ADB relatively successful in influencing this particular IO.

This study suggests that the democratizing impact of CSOs on global governance is not so much related to their actual participation in global governance arrangements. Increased participation by CSOs in global policy-making is not necessarily a cure for the democratic deficit as the representivity and democratic legitimacy of many CSOs are unclear. However, through different advocacy activities CSOs put pressure on IOs to increase transparency, open up for broader stakeholder participation and strengthen accountability, hence contributing to a modest democratization of global governance. It is as “pressure groups” or “watch dogs” rather than “transmission belts” representing a demos that CSOs have the strongest potential as actors of democratization beyond the nation-state.

Future research should pay more attention to the role of CSOs acting as “pressure groups” demanding democratic reforms in various IOs and other global governance arrangements. Different advocacy strategies need to be further specified. The interaction between CSOs and other actors, including representatives of states, the private sector and IO management and staff requires more systematic analysis. There is need for sharper analytical tools assessing civil society influence on specific policies as well as on a more general discursive level. Civil society actors are not by definition pro-democratic forces in global politics. More knowledge is needed concerning in what ways and under what conditions they might influence global governance in a more democratic direction.

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