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To *All sections and structures, members, partners, community-based organizations*
From *The International Committee for Strengthening Democracy*
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Strengthening Amnesty International's Democracy Consultation Pack 2

Part 2: Basic Systems and Processes for Amnesty International's Governance

Summary

This second consultation pack comprises the following documents:

Executive Summary (ORG 10/007/2008)

Part 1: A New Governance Model for AI (ORG 10/008/2008)

Part 2: Governance Systems and Processes (ORG 10/009/2008)

Part 3: Questions & Answers (ORG 10/010/2008)

Distribution

This consultation pack is issued to all sections, structures and interested members as well as to selected partners and community-based organizations. The Executive Summary "Strengthening Democratic Governance" will also be made accessible on the internet.

Recommended Actions

Please ensure that this consultation pack is brought to the attention of the chair, board and director of your section/structure, and to those members, partners and other organizations interested in and/or most directly affected by AI's decisions and decision-making processes.

In order for a complex and global movement like AI to make the right decisions at the right level at the right time, defining the structural elements of its governance model is not enough. All those participating in the decision making should be aware of the process and of their precise role in it. Those making decisions should always be aware of whom they are accountable to and of the benchmarks their decisions will be measured against.

The ICSD is proposing that the following basic systems and processes should apply to AI's governance at all levels. Some of them might look obvious and undisputed, but experience shows that they are often ignored in practice.

1. Participation Levels

Since it is neither desirable nor necessary to have all stakeholders participating in the same way and at the same level it seems that a clear, transparent and explicit differentiation between

- discussion,
- consultation and
- decision-making

could contribute to preventing false expectations and make AI's democracy more transparent and accountable.

Each of these different participatory activities carries different access requirements, different rules of engagement and different responsibilities. Everybody involved in AI's democracy needs to be clear at any time what their role within these stages towards the final decision is.

Discussion: as a movement owned by more than 2m people a lively discussion on a broad range of strategic topics should be the hallmark of AI. A significant increase in the number of people engaging in AI discussions world-wide is crucial to strengthening AI's democracy. In order to strengthen AI's relevance, all of AI's major stakeholders should be invited to join the discussion. AI's governing bodies should a) participate in the discussions and b) extract trends and perspectives from the discussions which they should take into account in their decision-making.

Consultation: AI's governing bodies could systematically use electronic communications systems to consult relevant stakeholders. Depending on the issue under review, consultation can focus on sections and structures, (all or selected) activists, members, partners, beneficiaries, external experts, specific interest groups or the general public. Consultation is initiated top-down and should provide a stronger guidance to decision makers than discussion.

Decision: The question, who in AI takes decisions on what, should be answered very clearly. In elections the electorate decides on who will represent them in the governance system. The elected representatives should take all governance decisions on behalf of the electorate and they should be accountable to the electorate. Through discussion and consultation AI's wide range of stakeholders can – and should seek to – influence the organization's decisions. But the strategic decisions should be taken by the properly elected and empowered governance representatives of the various stakeholder groups who are democratically held accountable for their decisions.

2. Transparency

Feedback received on the First Consultation Pack has been unanimous in asking for more transparency and accountability. This is a crucial demand from various perspectives:

- Transparency and accountability are among the strongest safeguards in the protection of human rights. This is why many AI campaigns ask for more transparency and accountability. AI should practice what it preaches, so it is crucial that the organization is seen as transparent and accountable in its own practice.
- Transparency and accountability are pre-conditions of any functioning democracy. As a lack of transparency and accountability has been identified as one of the main weaknesses and a reason for lack of trust in the existing decision making system, this needs to be addressed. Only on the basis of full transparency and accountability will sufficient democratic control of the governing bodies be possible.
- Transparency and accountability are very high on the “must have” list of good governance. Donors and members of organizations demand the availability of adequate information and the existence of a professional system of checks and balances. AI as one of the founding signatories to the INGO Accountability Charter has to be able to show that its governance is fully transparent and accountable at any stage.

The ICSD will make proposals on how to increase the transparency in AI’s decision making processes. These proposals will address issues including:

- communication of planned decisions (upcoming decisions, who is going to decide on what, when, etc.)
- accessibility to and disclosure of feedback received in consultation processes
- obligation to substantiate decisions
- disclosure of formal and informal participants in decision making processes
- access to and disclosure of documents and other information

3. Accountability

In the area of accountability, the ICSD will also be making more concrete proposals. The main focus will be on establishing a proper system of international accountability. Each section and structure and the IS should explicitly and formally agree and commit their contribution to the implementation of the global strategic objectives of the movement. When working towards delivering on these commitments, sections, structures and the IS should be regarded as branches of AI’s executive (see paragraph 5 below). This also means that each of them will be accountable to the movement (through the IEC) for their use of the movement’s resources and for their impact. The main function of national governance bodies in this context would be to ensure that their section or structure lives up to its international commitments.

However, we understand that three other ongoing initiatives will be crucial in order to improve our accountability mechanisms: the new Integrated Strategic Plan, the initiative “From Assessment to Distribution” and the work on impact assessment. Accountability starts with each strategic decision. While the governance system itself can and should include appropriate control and accountability mechanisms, they still need to be filled with meaningful, evidence based content. Governing bodies can only be held accountable if and to the extent (i) strategies contain specific and measurable objectives, (ii) the allocation of

resources is made transparent, and (ii) a proper system of measuring impact is available. If any of these elements is missing, accountability risks being reduced to sterile, subjective questions and answers sessions between governance bodies.

4. Governance Focus on strategic decision-making and control

AI's current democratic governance consists mainly of global and national general assemblies and boards. The governance structures carry the overall responsibility for the organization. In order to successfully fulfil this role, AI's governing bodies should:

- take ALL decisions which are of major strategic (= long term and fundamental) importance;
- take ONLY the major strategic decisions;
- establish and run an effective system of monitoring and evaluation of the organization's executive.

Once vision, mission, values, strategic and/or annual plans have been agreed, the governing bodies should only be involved in new decision making in a few exceptional cases, e.g. policy decisions a) of utmost importance AND b) which are highly contested within AI. During these phases (before the discussion on next year's plan or the next strategic plan starts) the governing bodies' main role – besides their legal and fiduciary responsibilities and supporting the executive – lies in monitoring and evaluating the implementation of their strategic decisions by the executive.

5. Executive implementing strategic decisions and facilitating control

AI's executive consists of activists/volunteers and staff in sections and structures and the International Secretariat who are tasked with implementing AI's strategic decisions. In order to successfully fulfil this role, AI's executive should ideally:

- be organized in an effective and efficient structure with a clear distribution of roles and responsibilities;
- fully empower the Secretary General and the Directors at national level to take all executive decisions required to practically implement the governing bodies' strategic decisions;
- as part of a shared leadership model, support the governing bodies in their task of controlling the executive: management and other executive functions have to accept and support being controlled.

6. Clear line drawn between governance and executive

Internal feedback mechanisms should make sure that both governance and executive focus on their primary tasks and do not unnecessarily stray into the other's territory. For cases of doubt or arising conflicts a system for clarifying roles and responsibilities should be available. Individuals and entities who have roles on both sides of the dividing line – for example a section engaging in an AI campaign (executive) and participating in a consultation on strategic decisions (governance) – need to be aware of the very different roles they have to play at the different levels and accept – and comply with – the different rules which come with the different roles. As many of AI's volunteers and all sections and structures are playing

both executive and governance roles, clearer procedures and more detailed guidance would help them navigate safely between the two levels.

