

Intensify Social Accountability through Community Radio

Understanding Social Accountability and Community Radio Commonly



Association of Community Radio Broadcasters Nepal
Chakupat, Lalitpur

INTENSIFY SOCIAL ACCOUNTABILITY
THROUGH
COMMUNITY RADIO

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2012



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FOREWORD

Association of Community Radio Broadcasters (ACORAB) Nepal, as an umbrella organization of community radio stations of Nepal, aims at advancing roles of community radios in social transformation to enhance democratic practices, observance of human rights and realization of rule of law. These goals may be achieved only by empowering community radios themselves in their institutional capacity building including governance, inclusion and maintenance of professional and institutional integrity.

Since its establishment on August 13 2002, ACORAB has been working towards creating awareness, educating and empowering citizens to help them to become more engaged citizens. In 2009, through its member community radios, ACORAB established Community Information Network (CIN) for further enhancing news and information sharing mechanism in Nepal. Community radios are being facilitated through CIN in broadcasting and sharing of news, information and resources on contemporary local, national and global issues among the audiences.

In the Nepalese context, practice of social accountability tools has become the integral part of any institution for bringing about and maintaining necessary institutional governance systems and also making them socially more accountable towards the individuals and the communities they serve. As an important part of Nepalese communities, ACORAB Nepal and its member radios also have social accountabilities towards citizens. To enhance upholding of social accountability of community radios, ACORAB Nepal has initiated some systematic interventions including empowerment of community radios in implementing social accountability measures.

There was felt need of resources and reference materials for community radio actors to comprehend and understand the conceptual aspects of social accountability which are applicable for community institutions and community radios. I am sure that the current book, which came with the very sincere endeavour of Mr. Rabindra Bhattarai, Mr. Baburam Khadka

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and Mr. Anil Khanal, fills existent gap and introduces theoretical premises of contemporary social accountability norms applicable to community radios in Nepal.

However, the usefulness of the book is not limited to the community radios; it seems more useful for other community or non-governmental institutions actively working as the public interest institutions and devoted towards the benefits of the grassroots communities and public at large in general. This book has emphasized the important roles and responsibilities of the social accountability practicing public interest and social organizations. I firmly believe that this book will serve as a reference material for social accountability bearers and practitioners.

I would like to thank and congratulate the author and the co-authors for their valuable work. My thanks also go to Mr. Jaya Jung Mahat, who helped the authors in making this publication successful by providing support in language editing of text of the book. ACORAB Nepal is very pleased to publish this small but important material and we are quite hopeful that this publication would help the professionals and institutions working in Nepal in the areas of social accountability. We feel our success if this book creates a minor wave for creating socially more accountable institutions and communities and provides preliminary guidelines on conceptualizing social accountability to the readers and users.

Min Bahadur Shahi
President

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1 | Introduction

Social accountability refers to the measure of an organization's state of being mindful of the emerging social concerns and priorities of internal and external stakeholders which is reflected in the respective organization's verifiable commitment to certain factors. Social accountability practices play vital roles in enhancing democratic institutional governance based on rule of law and human rights among public, social and community institutions. Even for private institutions, it comes in a form of corporate social responsibility.

In case of Nepal, there is urgent need of awareness among the citizens, constituents and beneficiaries, of the social and community institutions on issues pertaining to social accountability for bringing about required reforms in the institutional governance. Community radios have become credible, fair and socially responsive tools of information exchange in Nepal who have substantially changed the landscape of the media in Nepal by allowing for greater pluralism and freedom of expression. As the trusted institutions by community people, community radios have increased responsibilities to maintain social accountability to its constituents, beneficiaries and other stakeholders including collaborators and partners of programme implementation.

This text titled "*Gearing Up Social Accountability Through Community Radio: Understanding Social Accountability and Community Radio Commonly 2012*" provides a clear conceptual understanding towards the norms, values, standards and measures of social accountability of community institutions working for public interests, with special reference given to the community radios. It addresses major social accountability related issues for facilitating local, national, regional and global stakeholders to enhance practice of social accountability through improved institutional governance. The book has emphasized the social accountability issues to be practiced by community media institutions having a dual role of seeking social accountability of others and being socially accountable to others at same time.

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The present text first discusses about linkages between democracy, rule of law and human rights with the notions and normative framework of social accountability practices. Similarly, it also discusses on simple concept of accountability and identifies and explains in brief various types of accountabilities including political and policy accountability, legal accountability, administrative accountability, professional accountability, financial accountability and public and social accountability. Additionally, it also talks about various indicators and tools of social accountability measures. Finally, it mentions about the roles and responsibilities of the community radios while working in contemporary issues of social accountability and applicable use of social accountability tools in community radios for enhancing radios' institutional governance democratically accountable based on the norms of human rights and rule of law.

2 | Democracy, Rule of Law, and Human Rights

2.1 Democracy

Dictionary meaning of democracy implies it as “rule by the people, either directly (pure democracy) or through representatives (Republicanism)” (Obaidullah, 2001: 14). However, many people perceive democracy in rhetoric terms as “government of the people, by the people and government for the people”, a popular definition firstly quoted by Abraham Lincoln. Lord Bryce’s definition of democracy, “government in which the ruling power is largely vested not in one particular class or classes, but in the members of the community as a whole”, gives more sensible ideas on notion of democracy. CF Strong’s definition of democracy, “implies that government which rests on the active consent of the governed”, adds more value to the notion of democracy and makes it more comprehensive.

Democracy is the catchiest word for the political leaders and experts which they quote at different occasions to indicate different meanings depending upon the contexts in which they are and the people with whom they deal with. However, democracy is considered more as a system of governance rather than a form of government, where it opposes arbitrary rules and guarantees equal treatment. It ensures equal protection of law and holds governments to remain accountable and transparent for their actions and policies to the people at large. So, the terms democracy and governance may be used inter-changeably.

However, it may not be limited to the politics of state powers. From human rights perspective, humanity is universal and each individual is a member of the global human family. This human family can be organized into various forms of organizational units including into state, society, community or household family. Universal humanity requires fundamental equality of all individuals as members within the organized structures of community and society.

The notion of democracy appears within organizational units valuing and maintaining equality among their members. All men and women are rational and have the capacity to play their roles in such such organizational unit's governance process. Democracy is the best tool to safeguard the rights and interests of all organizational unit members to ensure that all will have a voice and share in protecting their rights and furthering their interests by creating a human society where there will be absence of all forms of fear, violence, possibility of discrimination and revenge.

Notion of democracy includes the existence of conscience, tolerance, respect for human dignity and the spirit of coexistence, despite huge diversity and heterogeneity among the members of the organized unit. Governance of an organized unit may signify taking responsibility of doing well for all members of that unit. Therefore, the leaders who take responsibility of institutional governance of an organized unit have to be accountable to the members and transparent in the discharge of their performance or business ensuring rule of law. There are some unavoidable features of democracy, they include:

- Governance system practiced within the framework as set up by the laws;
- Laws should prescribe powers, duties, accountabilities and the procedures of exercising powers;
- Ensures equal treatment and equal protection of laws to the members;
- Guarantees protection against arbitrariness and excess while exercising powers;
- The supreme power of formulating policy reside among vast majority of the members;
- Ensures procedural transparency while exercising administrative powers;

- Ensures remedies against all kinds of maladministration and injustice through grievance redressing institutional mechanisms; and
- Ensures inclusiveness and secularity.

2.2 The Rule of Law

Law is the objective form of regulating all the organized units of human societies. Law defines the rights, duties and modes of conducts of the members of respective organized unit. Democracy and governance are always guided by the law. In democracy, no one is above the law all are treated equal whether s/he is the head of an organized unit or a general member. Rule of law helps to create a state where everyone has to obey the laws and are held accountable if they violate them. To get recognition as law the universal principles of equality, fairness and consistency must exist and be enforced.

The fundamental objective of the rule of law is to limit the exercise of discretion and continue operation of system within the pre-established standards. The fairness of procedure is mechanism of rule of law which prevent arbitrary action of the actors. The notion of rule of law requires that everything must be done in accordance with the law and the law must come from the legitimate legislative organ within definable limits such as universal human rights. There are some unavoidable features of rule of law including:

- Absolute supremacy of regularity of the laws and the absence of arbitrary powers;
- Equality of all the organized unit members before the law, irrespective of their positions in the respective unit;
- Separation and division of the powers among institutional organs;
- Legitimacy of governing authority [periodicity, equal opportunities for accessing official authority, transparency of operational activities, and continuity of trust through responsiveness (accountability)];

- Declared hierarchy of authority; and
- Remedies for the enforcement of rights and holding accountable the authority users.

2.3 Human Rights

Human rights regime has been recognized as the universal basis for protection of the rights of the people. "Inherent dignity and of the equal and inalienable rights of all members of the human family" are recognized as "the foundation of freedom, justice and peace in the world" (AJAR 2009: 3) by the international community. Disregard and contempt for human rights causes outrages over the conscience of mankind, fears people, arouses rebellion feelings and spoils worth aspirations. To prevent and avoid such situations, human rights should be protected by practicing rule of law.

Faith in worth of human person and value of the equal dignity is universal and indivisible. Therefore, respect, protection and fulfilment of fundamental human rights, dignity and worth of people and ensured equal rights of men and women, are the preconditions for promoting social progress, better living standards and high level of freedom. Promotion of respect for and observance of human rights and fundamental freedoms are universal norms as they are inherent in every human being.

Recognition and Observance Matrix of Human Rights

Right to	Factors of Recognition	Possibility of Limitation	In Priority
Life	Unavoidability of fulfilment of physical and psychological needs and inherent desires of safety, peace and justice	No derogation/No exception	Supreme
Dignity	Inherent sense of co-existence, fraternity and indivisibility	No derogation/No exception	Supreme
Equality	Equitable self-governing nature of individuals with unique potentiality existed in individuals and interdependence in potentialities	Surrendered by negotiation with equivalent/opportunities and benefits	Higher
Freedom	Opinion, choice, expression, enjoyment of self aspirations in absence of fear and violence	Derogation/Limitation (only in life-threatening circumstances)	Adequate

The preamble of Universal Declaration of Human Rights ascertains that “human rights are common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society” (AJAR 2009: 3). Therefore every human entity and associations must have constant commitments in human rights. Not only to pay commitment but also have to strive in achieving respect, protection, promotion and fulfilment of human rights within the institutional premises as well as recognition and observance in others premises.

According to international human rights norms set forth in Universal Declaration of Human Rights; International Covenant on Economic, Social and Cultural Rights; International Covenant on Civil and Political Rights and other international human rights instruments, the endeavour has to be aimed at:

- As endowed with reason and conscience, acting in a spirit of fraternity by denying and avoiding any discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;
- Ensuring equality in dignity, rights and freedom of people, recognizing of a person before law, equality before law and equal legal protection against violation of rights and freedom;
- Recognizing independence, trust, self-governing, and sovereignty of a person;
- Giving full consideration to the right to life, liberty and security of person;
- Avoiding holding or accepting hold of any person anywhere in any form of slavery, torture or cruel, inhuman or degrading treatment or punishment;
- Recognizing and ensuring effective remedy of justice;
- Managing fair, impartial and public proceedings, applying principles of natural justice including presumption of innocence through independent disposal body when determination of rights and obligations are the issues;

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- Fully recognizing and respecting the rights to privacy, family, home or correspondence, honour and reputation;
- Recognizing freedoms in joining or leaving organization/institution and personal movements voluntarily;
- Taking family as natural and fundamental group unit of the human society and promoting equal rights of men and women of capable age in getting married and founding a family, seeking protection from society;
- Avoiding arbitrary deprivation of property of an individual or an association;
- Respecting and tolerating others' thoughts, consciences and religions;
- Respecting, protecting and promoting right to freedom of opinion and expression, freedom of peaceful assembly and association;
- Making an effort for ensuring active participation in government bodies and authorities where s/he is a constituent;
- Ensuring equal access to institutional information and service to the constituents;
- Ensuring the constituent people the basis of the authority of governance of the entity and manage periodic and genuine electoral process following universal and equal suffrage, secret ballot or equivalent free voting procedures;
- Recognizing economic, social and cultural rights as indispensable for human dignity and the development of independent personality and endeavour for their realization at various levels;
- Realizing the right to work, to free choice of employment, to just and favourable conditions of work including reasonable rest and leisure, and to principle of equal payment for same labour at work;
- Valuing right to form and to join trade unions for the protection of workers' interests;

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- Promoting social protection of people in difficult circumstances including the disabled, disadvantaged and children;
- Persuading for realization of right to information and education of every individual;
- Tolerating and promoting cultural practices, arts and literatures and scientific advancement while protecting moral and material interests;
- Encouraging everyone for voluntary engagement in fulfilling their duties to their communities and also for overall development of their personalities, to exercise their human rights and rights to freedom, to subject to limitations as determined by law, solely for securing due recognition and respect for the rights and freedoms of others and to meet the requirements of morality, public order and the general welfare in a democratic society; and
- Refraining from being engaged in or to perform any activity aimed at violating rights and freedom of other people.

3 | Accountability

3.1 The Context

Public administration is embedded in larger governance networks, and attempts are made to isolate tasks of service provision from policy making and traditional administrative tasks, either through performance contracts or by contracting out. A further set of questions relates to relations between the executive and legislative branches of the government. The relations between legislatures, ministers and the civil service are taking a new shape.

In open and pluralistic societies, both the public and social service are much more than government rule or administration. Service provision takes a dominant position in institutional governance of any legal entity irrespective of whether they are departments of the government, constitutional or statutory bodies, or professionally and socially obligated organizations.

Under modern notion of governance/democracy, rule of law and human rights, many organized units or entities are facing lack of trust on their constituencies. This has pushed up the need and application of required accountability measures to improve institutional governance and regain the trust of the constituencies. Accountability is being taken as one of the crucial issues of governance and rule of law from the perspectives of legitimacy and trustworthiness.

3.2 Conceptualization and Definition

The word 'Accountable' seems to have come into usage in the English language for the first time in 1583 in the financial context (Win, 2012) and at present, it has been expanded in every walk of operations of the entities. In simple terms, accountability means to be accountable for the action or its consequences.

Accountability is a contextual term in bilateral or multilateral relationships. It relates the relationship in terms of ownership, participation, fairness, exchange or transfer of powers and visibility of the governance. It comes in reference of relationships of individuals to their organized units, organized units to member individuals and also between or among various forms of public and social entities. It operates on the basis of such relations where individual's performances of tasks or functions are subject to others' oversight, direction or request so that they have to provide information or justification for their actions.

Therefore, the concept of accountability involves two distinct stages: *answerability* and *enforcement*. Answerability refers to the obligation of the organized unit or the entity, its agencies and officials to provide information about their decisions and actions and to justify them to the public and other relevant accountability oversight institutions. Enforcement suggests that the accountability oversight wing or organ can sanction the offending party or remedy the contravening behaviour.

Accountability comes as an issue in terms of implementation of the policies and programmes and attainment of the assigned task. It has been an agreed rule of institutional governance where the goals have to be spelt out, targets and milestones have to be fixed, functions have to be assigned, the needed decision making power has to be delegated, and performance has to be periodically monitored. The strength of accountability and transparency of a system is expressed by its efficiency and effectiveness, which in turn may be measured by the extent and quality accrued by the target beneficiaries.

In the words of Christopher Politt "accountability is the relationship between two (or more) parties in which one recognizes an obligation to give an account of its actions to the others. Some form of public accountability is fundamental to most conceptions of democracy. Without an acceptance and understanding of these both sides, it is extremely doubtful whether the maximum requirements for democratic governance can be met" (Christopher Politt, cited in Obaidullah, 2001).

Therefore, accountability can be simply defined as a procedure which is maintained by objectively answering or responding to political or policy authorities and sovereign constituents, beneficiaries/owners.

3.3 Dimensions of Accountability

Who exactly is to be held accountable and to whom? The design of accountability arrangement needs to alter as the characters of two principal parties, the relationship service providing institutions and the beneficiaries, also alter and develop. The obligation of a subordinate to answer to his superior for the exercise of authority in line under designated responsibility and also for the performance of duties assigned to a particular personnel or official.

In democracy, those institutions which work in the public/social sector services are guided by and subordinated to policy authority (those elected by the people to govern). However, this loyalty of service providers to the elected policy authority is grounded on the obligation of the latter to be 'accountable and answerable' (ANSA-EAP 2010: 21) to the will and interests of the people who are constituencies of the institution itself and welfare and benefits of the general public as well.

Aucoin and Heintzmann 1999, cited in (Obaidullah, 2001) point out that accountability relationship may aim at:

- 1. Control of Abuse, Corruption and Misuse of Powers:** To assure that resources are being used in accordance with publicly stated intentions and police, and that service values are being adhered to.
- 2. Improvement of Efficiency and Effectiveness of Programme:** The visible and credible pursuit of each of these three objectives contributes to a fourth - the enhancement of the legitimacy and trust.
- 3. Accountability and Efficiency:** Formal Control and Performance Management

Efficiency of policy making and policy implementation is in itself a major aspect of governance. Accountability is an essential element of any system of governance that seeks to be efficient in a trustworthy way. Accountability and efficiency are, therefore, the two sides of the general public and social service. While enormous gains in efficiency, flexibility and service to service recipients have been made, the task ahead should be strengthening governance and accountability while moving on in improving the efficiency of public or social service delivery.

Accountability is the process and means by which institutional entities and their service providers are held to be accountable for their actions. Accountability has both internal and external components. The internal elements are located within the institutional hierarchy and the external elements are situated outside the institutional apparatus. The core values involved in the question of accountability are democracy, efficiency and ethics. Adam Wolf acknowledges at least five dimensions in the concept of accountability:

- Legal dimensions (Rule of Law)
- Fiscal dimensions (Use of public funds)
- Policy and performance dimensions (Meeting goals, promises and expectations)
- Democratic dimensions (Informing and consulting legislatures and citizens)
- Ethical dimensions (Behaving in accordance with codes of ethics or general moral standards).

4 | Types of Accountability

Types of accountability may vary in accordance with the natures and types of institutions as well as the nature and types of the services they deliver. The types may also vary on the grounds of the status of the constituencies and impacts of the service delivery on the general public. For example, a private sector media entity may have to demonstrate greater accountability to general public than a social welfare organization which works in a small community.

Therefore, the first step while identifying the type of accountability is to figure out to be accountable to in which particular issue or which accomplishment or the results to be achieved is to be brought under notice of constituencies and beneficiaries. Hence, accountabilities can be different based on the nature of the institution, nature of the actor, nature of the conduct and nature of the obligations. They may be pointed out as follows:

Entity	Actor	Conduct	Obligation
<ul style="list-style-type: none">● Political/Policy	<ul style="list-style-type: none">● Corporate	<ul style="list-style-type: none">● Ethical	<ul style="list-style-type: none">● Vertical
<ul style="list-style-type: none">● Legal	<ul style="list-style-type: none">● Hierarchical	<ul style="list-style-type: none">● Financial	<ul style="list-style-type: none">● Diagonal
<ul style="list-style-type: none">● Administrative	<ul style="list-style-type: none">● Collective	<ul style="list-style-type: none">● Procedural	<ul style="list-style-type: none">● Horizontal
<ul style="list-style-type: none">● Professional	<ul style="list-style-type: none">● Individual	<ul style="list-style-type: none">● Product-based	

Policy, legal, administrative, professional/ethical and financial accountabilities are considered more important than the others in the governance. The different types of accountabilities can be understood as:

4.1 Political/Policy Accountability

Political accountability is the accountability of the government, civil servants and politicians towards the public and towards the legislative bodies such as the parliament. This is a broader area of accountability towards the sovereign citizens under State Mechanisms.

In this, however, voters do not have any direct way of holding elected representatives to be accountable during the term for which they have been elected. Additionally, some officials and legislators may be appointed rather than elected. Constitution, or statute, can empower a legislative body to hold their own members, the government, and government bodies for accountability. This can be done by holding either an internal or an independent inquiry. Inquiries are usually held in response to an allegation of misconduct or corruption.

The powers, procedures and sanctions vary from country to country. The legislature may have the power to impeach the individuals, remove them, or suspend them from their offices for a period of time. The accused person might also decide to resign before trial. In parliamentary systems, the government relies on the support of parliament, which gives parliament the power to hold the government for accountability. For example, some parliaments can pass a vote of no confidence in their government.

The same may be the policy accountability in the case of other legal entities that have an institutional governance structure. All organizations that have public obligations and accountability on the impacts of their conducts, services and performances have their own organizational setup of line of authority. For example, an executive board of an NGO is answerable to the General Meeting of the Members. They must be elected from among the general membership, they must have fixed tenure and expiry of their official positions, there must be provision of ousting a board member from his position by the process of no-confidence proposal at official General Meeting held with participation of Members. A member cannot act in the official capacity of the organization beyond the objectives set out in the charter or policy legal framework of his/her organization. Executive Board must notify the members for the renewal of their membership and must open door for entry of the qualified new members periodically.

Policy accountability includes providing framework for vertical accountability, as the means to enforce standards of good performance among officials. It also includes key institution in construction of horizontal accountability including the formation of mechanism of elected representatives to redress grievances and take inappropriate or inadequate actions by executives of the institution. **Policy related to public hearings, committee investigations and public petitioning to provide a vehicle for public voice for making questions in a form of diagonal and horizontal accountability.** Horizontal accountability is the capacity of organs of the entity to check abuses committed by other organs and branches of the respective institutions.

4.2 Legal Accountability

In a rule of law-based society, all the entities should perform their actions within existing legal frameworks. The public entities should evolve from the law of the land and their powers and duties must be defined by principle legislation of the corresponding State.

The other entities must have legal roots of their existence as well. Freedom and rights may be exercised by the members of the society in various forms. For example, people may convene a mass meeting or form a taskforce for some special tasks; however, they must be convened peacefully and without any disturbances caused to the others. Every entity should have a legal recognition to establish the legitimacy of the entity on its own. The legitimacy of an entity is not completed until and unless it complies with the constitutional and other legal requirements which are needed by the entities to fet the status as an institutionalized personality.

4.3 Administrative Accountability

All the institutionalized entities operate within a set structure framed within legal basis and hierarchy of authorities to exercise powers and perform duties in more organized order. The usual course of exercising powers while performing executive and managerial functions are termed as administration. The accountability that comes in this reference is known as administrative accountability.

According to Sri Ram Maheshwari “administrative accountability is an organizational imperative because first and foremost, it purports to

evaluate its performance in terms of its goals. The goal is split up into definite tasks and responsibilities, and it is the individual administrators who are called to render an account of how they are discharging their responsibilities. Concepts like hierarchy, span of control, unity of command, supervision, etc. are all accountability promoting and enforcing mechanisms. So, in the annual budget, accountability carries meaning only when it closely and firmly relates itself to the basic tasks and objectives of an organization” (Win 2012).

Internal rules and norms as well as some independent commissions are mechanisms designed to hold actors, personnel and employees of an organization accountable for their actions. Within division of the roles and responsibilities, firstly behaviour is bound by rules and regulations; and secondly, employees are subordinates in a hierarchy and are accountable to their superiors. Nonetheless, there are independent “watchdog” units as well to scrutinize and hold departments accountable for their actions; legitimacy of these commissions is built upon their independence which avoids any potential conflicts of interests.

Under Administrative accountability; the systems of personnel management control and provisions of appointment, security and dismissal of the employees, institutional governance structure and policy with specified vertical, horizontal and diagonal authorities and obligations of monitoring, supervision and control and answerability to constituencies or external public in terms of administrative efficiency and fairness are included.

4.3 Professional Accountability

You might hire a coach or a consultant to help you get specific results and also to hold you accountable. Conversely, this type of accountability can come from an employer or a customer who is paying you to achieve some results for them and you are accountable for your respective actions. For some reasons, “money talks” and most of us respond pretty well to this kind of direct accountability, where our professional reputations are at stake.

Professional Accountability of an entity refers to those issues of accountability which relates with the professional scope, limitations and

ethical issues associated with the respective institution's objectives and its roles in general. Standards of services being provided along with the minimum requirements of the service delivery are the key issues to be viewed from the perspective of professional accountability.

Within an organization, the principles and practices of ethical accountability aim to improve both the internal standard of individual and group conduct as well as the external factors, such as sustainable economic and ecologic strategies. Also, ethical accountability plays a progressively important role in academic fields, such as in laboratory experiments and in field researches.

For example, a medical institution may have professional accountability to take consent of the patient and inform the guardian or family members of the patient about consequences of medical treatment or making compensation in cases of misconduct. When professional accountability comes in terms with particular actors or employees may be understood as an ethical accountability. Professional and ethical accountabilities incorporates issues at personal, group or at institutional levels. It is said to be the group accountability if the issue of accountability arises within a mastermind group, a board of directors, a support group, a club, a team or some other group of peers.

4.4 Financial Accountability

Financial accountability relates to the efficiency of expenditure made in terms of performance. Under financial accountability, the issues such as internal control fitted within the machinery of administration, budgetary control mechanism, transactional audit, social audit, dissemination of information to public on budgetary positions and income and expenditure are covered. External control mechanisms include such as provision of announced and unannounced check-up from the fund regulatory authorities.

Institutional finance covers effectiveness of the income and expenditure procedures applied in the activities and operation of the organization. For achieving developmental goals of an organization, institutional finance is important as to generate income from the sources such as membership fees, public contributions, loan and grants, among others. The amount generated this way needs to be spent in cost-effectively in

developmental works and administrative activities of the organization assuring best results achieved to create impacts as desired.

Budget is the backbone of institutional finance that the organization introduces to its constituencies and beneficiaries. A budget is a plan expressed in amounts that acts as a road map to carry out an objectives, strategies and assumptions. An estimate of costs, income, and resources over a specified period, reflecting a reading of future financial conditions and goals is to be understood as budget in the operation of institutional legal entity. It serves as plan of action for achieving quantified results in a form of output and outcomes. It is also a standard for measuring performance, and device for coping with foreseeable adverse situations.

Therefore for financial accountability performance budget serves as common medium for implementers and its beneficiaries and constituents. Normally, institutional budgeting is developed and implemented in annual basis and it is controlling tool for the organization in every economic activity in terms of their limitation on expenses and timeframe of performance. It is controlling mechanism as well as basis for monitoring by the constituencies and beneficiaries both.

4.5 Public/Social Accountability

In old concepts of governance, the notion of public accountability was limited to the responsibilities attached with the state machinery. Presently, public accountability is not limited to government or state's public service sector rather it encompasses to all types of public services whether managed by state organs, civil organizations or business enterprises. A Dictionary defines public accountability as "Obligations of public enterprises and agencies (who are entrusted with public resources) to be answerable for fiscal and social responsibilities, to those who have assigned such responsibilities to them" (Business Dictionary 2012).

ASOSAI uses the definition of public accountability as defined by **THE TOKYO DECLARATION OF "GUIDELINES ON PUBLIC ACCOUNTABILITY"**. As per these guidelines public accountability "means the obligations of persons/authorities entrusted with public resources to report on the management of such resources and be

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answerable for the fiscal, managerial and programme responsibilities that are conferred” ASOSAI (2012).

Whereas social accountability is a “measure of an organization’s state of being mindful of the emerging social concerns and priorities of internal and external stakeholders”(Business Dictionary 2012). Communities, employees, governmental and nongovernmental organizations, management, and owners of the respective units are considered to be the social accountability stakeholders. Social accountability is viewed as a reflection of organization’s verifiable commitments towards certain factors such as (1) willing to compliance with employment, health, hygiene, safety, and environmental laws, (2) respect for basic human and human rights, and (3) betterment of the community and vicinity. Therefore, social accountability is a part of general accountability and a component of social compliance.

Social accountability and civic engagement are used interchangeably. It relates with the participation, transparency, confidence, fairness and broader social compliance. It is believed that social accountability helps to ensure that power-holders become more responsive to the needs and demands of the people which enable more effective public service delivery and policy design. Rights-holders are empowered by the expansion of freedom, agency and choice which are the key elements of effective development and in turn contribute to greater democratization, effective development and reduced leakages, corruption and misallocation of resources (ACFID 2009: 5).

5 | Social Accountability Measures

5.1 Indicators of Social Accountability Measures

What is the method of measuring social accountability? This may be the most important question while making understand the people the concept of social accountability. However, there is no easy and single answer to this question. The features and forms of measuring social accountability may have variations based on the cultural backgrounds of morality and traditions of governance patterns practiced in particular societies. Nonetheless, universal recognition of human rights, governance based on the rule of law and universal values of democracy, certain features and forms are practiced in various societies as common standards of social accountability measures.

Participatory and professional performance; periodic shifting of the office of the authority; access to information; visible and transparent institutional operation; planned, controlled, monitored and information disseminating budgetary system; internal and external exits for settlement of institutional disputes are considered to be the fundamental social accountability measures. Following indicators may serve the major indicators of social accountability measures:

Legality, participation and ownership

- Legitimacy ensured by statutory authority/Legal recognition of the entity
- Defined and publicly recognized institutional entity
- Openness and non-discrimination in membership measures
- Periodicity of terms of office of the authorities and renewal of authority
- Inclusion and participation at various level
- System of institutional information sharing with the members

Governance

- Separation of power between different organs of the organization
- Defined roles and responsibilities of officials, departments and employees
- Well defined hierarchy of the decision making process
- Periodic strategic visioning and planning
- Internal information flow mechanism
- Monitoring and evaluation system
- Financial and accounting system
- Auditing and other institutional oversight mechanisms
- Operation regulatory system

Public Relation and Information Dissemination to Outsiders

- Measures of institutional information dissemination among publics
- Declared forms of maintaining social accountability measures
- Communication complain disposal mechanism
- Collaboration with other social accountability oversight entities
- External communication
- Institutional measures to satisfy right to information of outsiders.

5.2 Tools of Social Accountability Measures

Looking at the current practices around the world in social accountability measurement, several tools are found to be developed and implemented. As illustrated by above features, these tools address different aspects of the social accountability measures. Participatory budgeting, independent budget analysis, expenditure tracking survey, ombudsman, citizens' charter, citizens' juries, social audit and public hearing are popular tools of measuring social accountability of any public or social entities. Participatory budgeting, independent budget analysis, expenditure tracking survey, social audit, public hearing and even citizens' juries may be applicable while measuring social accountability of institutional entities and organizations recognized as the public interest institutions. Other measurement tools, including these, are applicable in broader public service state or government bodies as well.

Participatory Budgeting is broadly defined as a mechanism or process through which members or constituents and stakeholders participate directly in different phases of budget formulation, decision making, and monitoring of budget execution. Institutional budgeting is instrumental in increasing transparency in forecasting costs and institutional expenditure and also in making budget more reliable and target-centric. This is useful vehicle to promote constructive ways of catching up the broader social learning opportunities for achieving institutional goals.

Independent Budget Analysis has taken many forms in past. A common characteristic of this type of budget analysis is that it serves to demystify the highly technical language of official budgets and also to open up to general scrutiny budgetary process. Budget analysis is closely linked with the process of budget formulation and it aims at generating debate on budgetary projections among concerned people or experts. The focus of this form of budget analysis is to:

- Broaden the understanding of the constituencies on the budget;
- Prioritize pro-poor allocations;
- Increase targeting of funds to vulnerable groups; and
- Track reliability of funding sources;

Expenditure Tracking Survey is a quantitative survey of the supply side of services. The survey collects information on facility characteristics, financial flows, outputs (services delivered), accountability arrangements, etc. The quantitative exercises, though separate from but complementary to qualitative surveys on the perception of consumers on service delivery, have been found to be very influential in highlighting the use and abuse of social resources.

Social Impact Assessment makes efforts to assess or estimate, in advance, the social consequences that are likely to follow specific policy and project actions. This is a process that provides a framework for prioritizing, gathering, analyzing, and incorporating social information and participation into the design and delivery of developmental interventions. It ensures that the interventions are informed and take into account the key relevant social issues; and incorporates a participation strategy for involving a wide range of stakeholders.

An Ombudsman is independent from the executive and the judiciary and is funded by the legislative body. The office of the ombudsman can take various forms. It can be a general-purpose or specialized agency that receives and investigates citizen's complaints against bureaucratic actions, an agency charged with protecting citizen's human rights, or an agency protecting other rights and interests (e.g. an environment protection agency). Ombudsman offices can be established at the national or sub-national levels. The powers of the ombudsman also vary. Some can receive complaints and conduct some initial investigations while others can only mediate or recommend solutions. Some ombudsmen also have standing as complainants related to judicial actions. Under some models, the ombudsman plays an important role in legal and judicial reform.

For social organizations mandated for working with public interests, auditors, independent external performance evaluators may serve the job as ombudsman performs for citizens in terms of public services generated by the government.

A Citizen's Charter is a document that informs citizens about the service entitlements they have as users of a public service, the standards they can expect for a service (time frame and quality), remedies available for non-adherence to standards, and the procedures, costs and charges of a service. Separate charters are usually designed for distinct services and/or organizations and agencies. Sometimes, citizens' obligations or acts that are subject to fines are also listed. The Citizen's charter aims to improve the quality of services by publishing standards which users can expect for each service they receive from the Government. The charters entitle users to an explanation (and in some cases compensation) if the standards are not met. If citizens are well informed about their rights as clients of public services and about existing complaint mechanisms to voice grievances, they can exert considerable pressure on service providers to improve their performance. The charters also play an important role for other social accountability mechanisms. The standards which service providers commit themselves to are useful yardsticks for monitoring and evaluation of service delivery.

Citizens' Juries are a group of selected members of a community that make recommendations or action proposals to decision-makers on complex issues after a period of investigation on the matter. Citizens'

juries are one of several deliberative participatory instruments that have been used to supplement conventional democratic processes in both developed and developing countries. The goal is to improve the quality of decision-making and to increase the likelihood that policy formulation and implementation will be more legitimate, effective, efficient and sustainable.

Social Audit (sometimes also referred to as Social Accounting) is a process that collects information on the resources of an organization. The information is analyzed and then shared publicly in a participatory fashion. Although the term “Audit” is used, Social Auditing does not merely consist in examining costs and finance – the central concern of a social audit is how resources are used for social objectives. The scope of social audits may differ. They may be used for investigating the work of all government departments over a number of years in several districts. They may also be used to manage a particular project in one village at a given time. Most social audits usually consist of the following activities and outcomes: produce information that is perceived to be evidence-based, accurate and impartial; create awareness among beneficiaries and providers of local services; improve citizens’ access to information concerning institutional documents; be a valuable tool for exposing corruption and mismanagement; permit stakeholders to influence the behaviour of the organization and monitor progress and help to prevent fraud by deterrence.

Public Hearings are formal meetings held at the community level where officials of the institution and general people have the opportunity to exchange information and opinions on community affairs. A typical example would be public hearings of community budgets. These meetings are open to the general public and are therefore an important tool for general people to raise their concerns in front of elected officials and personnel of the organization on the one hand and an important feedback mechanism for the officials to gain a better understanding of the beneficiaries’ experiences and views on the other hand.

Source: SasaNet 2012

6 | Community Radio and Social Accountability

6.1 Community Radio

In the recent decades, the media technology advanced in a way that the whole regimes of governance, human rights and rule of law have been affected by its advancement. In this course, a notion of community-based media emerged to empower the community people and help them to stand as sovereign citizens of the nation and to exercise human rights in a way of contributing democratic governance, rule of law and human rights. Community media has demonstrated a visible potentiality for catalyzing communities for transformation of the communities in transition to a democratic setup.

Community radio is one of the most effective community medias that has ever been emerged. The term 'community' refers to a collective or a group of people sharing common characters and/or interests. Therefore, term 'community' can either be defined as: "(a) a geographically based group of persons and/or; (b) a social group or sector of the public who have common or specific interests" (AMARCAPSA 1998: 13).

"AMARCEurope (1994: 4) labels a community radio station as 'a "non-profit" station, currently broadcasting, which offers a service to the community in which it is located, or to which it broadcasts, while promoting the participation of this community in the radio"' (Carpentier, Lie & Servaes 2001). Community radio is one that is operated in a community, for the community, and by the community. The community can be a territorial or a geographical - a township, village, district. It can also be a group of people with common interests, who are not necessarily living in one defined territory.

National association of community radio broadcasters in Nepal has defined community radio as the radio station that has received license of operating from the authority prescribed by the Government of Nepal;

run by a non-profit sharing local organization or a cooperative; producing and broadcasting informative programmes on education, health and development for at least 40 percent of its airtime; and producing and broadcasting 60 percent of total programmes locally (ACORAB 2009:4).

Consequently, managed or controlled by one group, by combined groups, or of people such as women, children, farmers, ethnic groups, or senior citizens, community radio is an audio broadcasting. Therefore, community radio is community broadcasting tool which is referred to as a broadcasting service not for profit, owned and controlled by a particular community under an association, trust or foundation (AMARCAPSA 1998). In some instances it can be managed by the non-governmental organizations or non-profit cooperatives working in different communities. As community radio falls under the community broadcasting category, it also refers to a radio station owned and controlled by a community defined either geographically or with common interests. Therefore, community radio is an institutional entity that has to abide by the law and be operated in accordance with the principles of rule of law, institutional governance and human rights.

6.2 Do Social Accountability Norms Apply to Community Radio?

Community radio must uphold the social accountability norms in its operation and act as a legal entity in promoting social compliance in communities where it operates. As an organization, community radio has to follow the norms of democracy by maintaining institutional governance within the framework as set up by the laws; exercising powers, duties, accountabilities and the procedures as mandated by and within the ambit of the legal frameworks; ensuring equal treatment and equal protection of law among all the members; guaranteeing protection against arbitrariness and excess in exercising powers; supremacy of the powers of majority of the members; ensuring procedural transparency of exercising budgetary and administrative powers; ensuring remedies against any kind of mal-administration and injustice through grievance redressing institutional mechanisms; and ensuring and promoting inclusiveness and secularity.

Similarly, under rule of law norms, community radio has to ensure absolute supremacy of regularity of law and the absence of arbitrary powers; equality of members before the law that every members of the

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unit, irrespective of their positions; separation and division of the powers within institutional organs; legitimacy of governing authority [periodicity, equal opportunities for accessing official authority, transparency of operation, and continuity of trust through responsiveness (accountability)]; declared hierarchy of authority; and remedies for the enforcement of rights and holding accountable the authority users.

Under human rights norms, community radio, institutionally, is bound to act in a spirit of fraternity by denying and avoiding any discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status; to ensure equality in dignity, rights and freedom of people and accept the recognition of a person before the law, equality before the law and equal legal protection against violation of rights and freedom; recognize and ensure effective remedy of justice within ambit of organization; to manage fair, impartial and public proceedings, apply principles of natural justice including presumption of innocence through independent disposal body when determination of rights and obligations, is an issue; to recognize and fully respect the right to privacy, family, home or correspondence, honour and reputation; to recognize freedoms in joining or leaving organization/institution.

Furthermore, it is obliged to avoid arbitrary deprivation of property of an individual or an association; to respect and tolerate others' thoughts, conscience and religions; to respect, protect and promote rights to freedom of opinion and expression, freedom of peaceful assembly and association; to make an effort for active participation in governance bodies and authorities to which s/he is a constituent; to ensure the equal access to institutional information and service among the constituents; to ensure the will of the members of the radio as the basis of the authority of governance and manage periodic and genuine electoral process following universal and equal suffrage, secret ballot or equivalent free voting procedures; to realize the right to work, to free choice of employment, to just and favourable conditions of work including reasonable rest and leisure, and principle of equal pay for equal work; to value right to form and to join trade unions for the protection of own interests; to promote social protection of people in difficult circumstances including disabled, disadvantaged and children; and to persuade for realization of right to information and education of every person.

It has further obligations to tolerate and promote cultural practices, arts and literatures and scientific advancements with protection of the moral and material interests; to encourage everyone for voluntary engagements in fulfilling their duties to the community for free and full development of their personalities, exercise of their rights and freedoms, subject to limitations as determined by law, solely for securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society; and to refrain from being engaged in any activity or to perform any act aimed at the destruction of any of the rights and freedoms.

By above illustrations, it is clear that community radios are answerable and subject to scrutiny and control of their constituencies. Therefore, they have to answer the issues that their constituency may have in the governance, management, administration, effectiveness of the programme and performances in achieving the goals setup by the radio as an entity or as an institution. Therefore, they are accountable and they have to demonstrate as well as maintain their accountabilities.

On the other hand, community radios are social service institutions by the definition and they serve as non-profit entities. This makes it clear that they work for issues of public interests. Any entity that works for public interests has more obligations in maintaining the rule of law, upholding human rights and run a democratic society. They require to be viewed as the role models for other institutions from the governance perspectives. Therefore, they are socially accountable entities and they must demonstrate this to their stakeholders by effective application of social accountability norms.

6.3 What Sort of Norms Should Community Radio Apply?

Community radio is an instrumental media for democratization, decentralization and social transformation. It can help breaking down the existent barriers among the community people, service provider institutions and public interest campaigners. As community radio has the prime role to inform, educate, empower and transform the patterns of traditional practices among the community people, it has two major roles to play under accountability norms: (1) as a community based

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democratic entity, community radio has to value and practice social accountability institutionally; and (2) to act as a local watchdog and observer of social accountability of other agencies, institutions and entities existent in the respective community.

6.3.1 Applying Norms within own Institutional Framework

As a public interest group or entity in the community, community radio should perform its all activities on the basis of the democratic governance, rule of law and human rights. Therefore, community radios should maintain all social accountability requirements. Following matrix suggests some of the crucial points for maintaining social accountability measures:

<i>Social Accountability Indexes</i>	<i>Means of Observance</i>
Legality, participation and ownership	
Legitimacy ensured by statutory authority/Legal recognition of entity	Timely renewal and updated in all statutory requirement including registration, tax, licensing
Defined and publicly announced as a institutional entity	Regular and routinely dissemination of institutional status and open public access to the information
Openness and non-discrimination in membership measures	Notification of organizational events including timeframe of annual apply and granting of membership and open call within the constituent community for applying for membership
Periodicity of terms of office of the authorities and renewal of authority	Holding of timely general assembly and elections and absence of over repetition of tenures by same persons
Inclusion and participation at various level	Composition of officials is reflective of the population composition of the community
System of institutional information sharing with members	Level and frequencies of information shared with members officially

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Governance	
Separation of powers between the organs of the organization	Power structures in Charter or Memorandum of Association
Defined roles and responsibilities of officials, departments and employees	Policies and regulations in force
Hierarchy of decision making process	Policies and regulations in force
Periodic strategic visioning and planning	Institutional plan with budget projection
Internal information flow mechanism	Line of authority and reporting policies in force
Monitoring and evaluation system	Mandate and frequencies
Financial and accounting system	Financial operational policy
Audit and other institutional oversight mechanism	Management response to audit and provisions of oversight bodies in Charter/Memorandum of Association
Operation regulatory system	Existence of operational policies and adherent practice
Public Relation and Information Dissemination to Outsiders	
Measures of institutional information dissemination to public	Institutional policies on dissemination of information to public; Service Offering Chart (like citizens' charter)
Declared forms of maintaining social accountability measures	Provision of organizing public hearing, social audit etc.
Communication complain disposal mechanism	Provisions of complain receiving and responding the complainant and settlement measures applied
Collaboration with other social accountability oversight entities	Communications and events organised with other organizations for disclosure of social accountability of radio
Institutional measures to satisfy right to information among outsiders	Communications and records of reply made to the inquires made by people outside the community

6.3.2 Observance of Social Accountability of Other Institutions as a Watchdog

Seeking information is an inherent quality of human being to enhance general knowledge and further facilitate personal, social and public life. Information is an unavoidable input that is required in any activity intended for bringing changes or transforming the phenomenon. Thus, right to get information is natural in democracy. Right to information requires enabled citizens in making requests and obtaining information of public importance produced or recorded by public bodies including organizations working for public interests. It includes study or observance of any written document, material held in public bodies or proceedings of such public bodies and to obtain information by other recordable means. One of the predominant rights of the people is to know the working and performance of the institutions that work within their own localities. These rights enable transparency and promote accountability of the institutions that they work for.

Community radio also has to maintain its professional accountability as a media tool. Therefore, community radio has special duty in balancing the rights of the individual and the community in terms of enjoying and exercising right to information. Moreover, community radio has to be active for protecting promoting and securing freedom of press and expression. Accuracy, credibility and factual information dissemination are essential tasks in this connection. Therefore, community radio should play roles in promoting social accountability measures for other institutions which are working for same communities that the radio is serving for.

Social accountability would act as a form of horizontal accountability in terms of community people where the institutions claim to serve the respective community or work for public interests within or for community. Therefore, community radio should facilitate enforcement of social accountability measures through mobilizing resources of the organizations working in the community. For that reason, community radio can play the roles as a catalyst and facilitative means in the following manners:

Disclosure of Institutional Information: Community radio, as its professional scope of work, should cause disclosure of the institutional

information that affects the interests of the common people in the community. For example, if an institution claims to be a community entity, it must be operated in secularly to the entire population of community and if the institution denies someone its membership on the ground of race, ethnicity, religion or any other similar discriminatory grounds, radio should report in factual basis. Various forms of news report, feature stories and other may be applicable in this context.

Supporting Dissemination of Institutional Information: Community radio should encourage the institutions in the community to disseminate their institutional information through the radio. For example, community radio may offer membership applying notices free of cost or may live broadcast general meetings which take place in public.

Transmission of Social Accountability Disclosure Events: Community radio may also collaborate with the organizations who intend to organize service briefing sessions, social audit or public hearing session by providing on air time for the live or recorded transmission sessions of the events.

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