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**The World Bank Inspection Panel and civil
society protest:**

**Glocalization of accountability? The case of the
Kwabinya landfill project in Ghana**

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Abstract

20 years ago, the Inspection Panel was founded as a mechanism of accountability for people negatively affected by projects funded by the World Bank. It allows them to call for an investigation if social and environmental standards of the World Bank have not been adhered to and. Its origin can be traced back to pressure exerted by a transnational NGO campaign on US congress in the wake of the Narmada Valley Development Project. While the Panel's history since then shows that it usually does not have the power to entirely stop a project, the case of the Kwabenya landfill in Accra (Ghana) proves that it can act as an important instrument for – potentially successful – civil society struggles which aim at democratizing the current architecture of governance.

The World Bank Inspection Panel and civil society protest: Glocalization of accountability? The case of the Kwabenya landfill project in Ghana

Processes of globalization can be seen as the sum of similar local processes taking place simultaneously. The term glocalization thus refers to either the globalization of local processes or the localization of global processes. A case of the latter is provided by the introduction of the World Bank Inspection Panel, which does not only claim to constitute a 'successful experiment' in 'democratizing international governance' (Hunter cited in World Bank 2009: 79), but also act (in theory) as a localization of an accountability mechanism provided at the global level. According to its self-description, it is 'an independent complaints mechanism for people who believe they have been, or are likely to be, harmed by a World Bank-funded project' (World Bank Inspection Panel not dated: 2) and its slogan is 'Where your concerns are heard' (ibid.: 1). The question to be engaged in this paper is simple: to what extent is this view justified?

The attempt to answer it will start by describing the origin of the Inspection Panel and its institutional set-up. The next section discusses the results of the existing research on the Inspection Panel, before turning to the empirical study of the Kwabenya landfill project in Accra. The insights gained in the case study will allow us to discuss the question whether we can talk about a glocalization of accountability through the Inspection Panel, but also link it to the debate about transnational advocacy networks. In the end, we will return to the question.

1. The World Bank Inspection Panel: origin and structure

First of all, it has to be noted that the sheer existence of the World Bank Inspection Panel (WB IP) is remarkable, at least from the perspective of the discipline of International Relations (IR). Most IR theories assume that international organizations (IOs) are more or less accountable vis-à-vis their member states, as agents to their principal. There may be controversy over the extent to which this is the case: realists or Marxists would see them primarily as instruments of the powerful member states (or their ruling classes, respectively), while liberal institutionalists would allow for a certain independence and dynamic evolution, leading to spill-over effects and mission creep.¹ Yet none of them would hypothesize that international organizations would be accountable to the people affected by projects funded by them. IOs are neither financed nor governed by these people, but by their member states, i.e. in practice by representatives of the governments of these people. So influence could be exerted by these people only by voting for a new government representing their interest within the IO. Traditionally, international law has given 'little space for the voices of non-state actors', which is why the introduction of the IP giving 'local people access to an international

¹ Spill-over effects refer to international cooperation in one area leading to increased cooperation in other areas, too – the classical example being the European Union. Mission creep refers to the tendency of international organisations to increase their mandate and scope (acquiring new 'missions').

accountability mechanism' has been called 'a remarkable advancement in international law' (Clark 2003: 9). How did it come about?

In the World Bank, the most significant governing body is the Board of Directors, constituted by 24 representatives of the member state governments and deriving legitimacy from these sovereign states.² In 1993, the Board established the World Bank Inspection Panel. The IP's establishment had a lot to do with what has been called the 'Narmada disaster' at the Bank. While infrastructure projects in the South financed by the World Bank have been subject to criticism for a long time – e.g. the Polonoroeste project designed to make accessible rain forests in Brazil or the Transmigration project in Indonesia designed to resettle millions of migrants in peripheral regions so far populated by indigenous peoples – the one which gained most international attention was the Narmada Valley Development Project in India (see Rich 1994, Caufield 1996, Goldman 2005, for the following see Mehta 1994 and especially Roy 1999).

The Narmada Valley Development project comprises the impressive number of 3.200 dam projects, of which the vast majority are small, 135 are medium and 30 are major dams. The biggest of these is the Sardar Sarovar in Gujarat with a proposed height of 136.5 m. According to the government of India, this multi-purpose dam (irrigation, power production, flood-control) would irrigate more than 1.8 million hectares and bring drinking water to drought prone areas. Opponents claimed that these benefits are vastly exaggerated and that more than 300.000 people (60% of them indigenous) had to be displaced without adequate compensation. Between 1985 and 1993, the project was financed above all by the World Bank (with approx. 280 million US-\$).³

The project was resisted by a grassroots movement, the Narmada Bachao Andolan (NBA), criticizing its social impact as well as the lack of an environmental assessment, utilizing Gandhian principles of nonviolence and noncooperation, and increasingly gaining international support and media attention. So in 1991 WB President Barber Conable, at the request of some Executive Directors, decided to establish an independent review commission for the case chaired by former UNDP head and retired Republican US Congressman Bradford Morse. This was the first time in WB history that such a step was deemed necessary. To the surprise of most observers, the report of the Morse Commission sided with the critics and pointed out the Bank's failure to comply with its own rules on involuntary resettlement, environmental assessment, and indigenous peoples, as well as its conscious tolerance of India's violation of loan agreements. In contrast to what WB management expected, it did not recommend measures on how to improve the project but asked the institution to step back from it (Clark 2003: 3f, Shihata 2000: 5f).

² It should be mentioned that the voting power of these member state governments is linked to the capital shares of the country and is distributed in a highly unequal way: while the USA holds over 15% of the votes and only the USA, Japan, Germany, China, the UK and France have an Executive Director of their own, the other countries share a director with others and possess only a fraction of the voting rights of the richer countries: the votes of all African states combined are fewer than those held by the German representative.

³ Technically, it consisted of the Narmada River Development (Gujarat) Sardar Sarovar Dam and Power Project and the Narmada River Development (Gujarat) Water Delivery and Drainage Project, financed by IBRD and IDA and signed in 1985 (Shihata 2000: 5).

However, the WB was unwilling to heed the advice it had asked for and proposed a plan for engaging the problems but moving forward with the project. To this, international NGOs reacted with the threat of a campaign to cut off funding to the Bank published as a full-page advertisement in the Financial Times during the Bank's annual meeting 1992. The Board of Directors was split, several EDs called for a suspension of loans, but a majority voted to continue financing the project authorizing the management to proceed with a six months action plan to address the environmental and resettlement problems. The next year, when it became clear that the problems persisted, the government of India announced that it would pursue the project without further WB financing. The NGOs, in the meantime, carried through on their threat and successfully lobbied US Congress to block contributions to the tenth replenishment of the International Development Agency.⁴ And in the Board, EDs from The Netherlands, Germany, Malaysia and Chile, with support from the Swiss ED, proposed a new accountability mechanism, also citing problematic aspects of the Bank's internal culture mentioned in the Wapenhans report.⁵ WB management succumbed to these external and internal pressures and on September 22 1993, the Board of Directors issued a resolution on the creation of the Inspection Panel (Shihata 2000: ch. 1, Clark 2003: 4-9).⁶

According to this resolution, the IP consists of three Panel members who are appointed by the Board for non-renewable five-year terms and can afterwards never be employed by the WB again. And although its secretariat is located at the WB headquarters in Washington D.C., the IP is not part of the WB management structure, but directly reports to the Board. These features are meant to ensure the independence of the IP from the management itself. The IP is 'activated' through complaints concerning harm caused by noncompliance to WB social and environmental policies and procedures: any two or more people affected negatively by WB projects may submit a complaint to the Panel, their identities can remain confidential on their request and they can also act through representatives. The Panel then examines the eligibility of the complaint, contacts WB management for a response and often also visits the project site to talk to the affected people. The IP submits a report to the Board and recommends an investigation of the case – if the complaint is deemed eligible and further action appropriate. If the Board authorizes an investigation, IP members conduct a fact-finding visit to the project area and submit an investigation report to Board and President of the WB, the management has six weeks to submit its recommendations in response to the Panel's findings, and the Board decides about measures to be taken (World Bank Inspection Panel not dated). Even though the IP cannot decide by itself, its investigations and recommendations should be able to suspend, ameliorate or stop projects that cause harm to affected persons.

⁴ Congress did authorize IDA funds for the first two years but withheld funds for the third year until there was evidence for significant progress by the WB on the issue of accountability (Clarke 2003: 9).

⁵ A central finding of the report *Effective Implementation: Key to Development Impact* prepared by a WB task force headed by senior manager Willi Wapenhans, was the 'approval culture': 'Bank staff were often concerned about getting as many projects approved under the Bank's lending program... less attention had been given to the commitment of borrowers and their implementing agencies' (Shihata 2000: 3) – in other words: 'staff are rewarded for moving large amounts of money out the door' (Clark 2003: 5). Thus there is an incentive to neglect social and environmental concerns in this culture.

⁶ The resolution is reproduced in Shihata 2000: 271-277.

So much for the theory – but how does it work in practice? Does the IP function as an effective mechanism of democratic accountability in the architecture of international governance?

2. Research on the Inspection Panel

While there is some research on the IP and its practice, most of it is either from the World Bank respectively the IP itself (Shihata 2000, World Bank 2003, Putten 2008, World Bank 2009 a), from a legal perspective (e.g. Bissell 1997, Schlemmer-Schulte 2000, Roos 2001, Tjardes 2003, Carrasco/Guernsey 2008), or from an NGO perspective (e.g. Clark 1999, Hunter 2003, Djiraibe et al. 2004, Talpur/Schneider 2007, Herz/Perrault 2009), and only surprisingly little from a genuine political science perspective: primarily, this is the edited volumes by Fox/Brown (1998a) and Clark et al (2003) as well as related articles by Fox (2000, 2002) and a few more less encompassing but more recent articles by Randeria/Grunder (2011) and Hale (2011). The results of this research can be summarised in the following points:

1) The first of these concerns the establishment of the IP itself. It required the ‘reciprocal interaction between external critics and internal Bank dissidents’ (Fox/Brown 1998b: 4). Implied is a crucial ontological point, namely, that the key actors – World Bank, civil society and nation states – are actually contested arenas (ibid.: 10).

2) During the first years (1994-1998), the IP did not function as an effective mechanism for two reasons. On the one hand management undermined the standard procedure by submitting action plans to ameliorate the situation of the projects in question *before* the board decided on an inspection – with the objective to prevent it. On the other hand, many EDs from borrowing countries perceived IP investigations as unnecessary meddling or even a threat to their sovereignty and obstructed its work by not authorizing or curtailing these investigations (Clark 2003: 12). Both points were addressed by the WB’s second review of the IP practice in 1998-99 (see Shihata 2000, ch. 4): since then, management action plans should be issued only after the panel’s findings and the board is supposed to authorize an investigation if requested by the Panel.

3) Contrary to some NGO expectations of the Panel being merely ‘a public relations arm of the Bank (Hunter 2003: 209), the IP members have ‘asserted their independence from Bank management, their interest in creating a lasting and credible investigatory mechanism, and their integrity in dealing with all claims openly, fairly, and effectively’ (Hunter 2003: 207, see also Treakle et al. 2003: 254).

4) Contrary to the expectations of Wade that ‘since almost any project can be found out of compliance if one pushes hard enough, and since there is no limit to the cases that affected groups can bring ... the Bank is likely to be deluged with Inspection Panel investigations’ (cited in Woods 2001: 93), there have been relatively few IP cases in comparison to the thousands of WB projects. As of June 2015, there have been 103 complaints addressed to the Panel. The annual average of cases has risen since the beginning, after a decline from 4 (1995-99) to 2.8 (2000-2004), it went up to 5.8 (2005-2009) and 7 (2010-2014).

Year	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15
Cases	1	4	3	2	4	7	0	4	2	2	6	2	6	9	0	12	8	5	6	8	8	4

(source: own 'calculation' based on <http://ewebapps.worldbank.org/apps/ip/Pages/AllPanelCases.aspx>, June 28 2015)

This small number could indicate a compliance with social and environmental standards in the vast majority of WB projects. It could, however, also be a result of most affected persons being unaware of the possibility to file a claim at the Panel. The World Bank is not at all keen on promoting the IP, and even the Panel members themselves are somewhat hesitant in this respect and hardly 'organize proactive efforts to reach out to potential claimants' (Hunter 2003: 208).

5) The majority of claims (approx. two thirds) was triggered by large infrastructure projects, often dams (Treakle et al. 2003: 248).

6) Contrary to borrowing country concerns, the vast majority of claims was led by civil society actors from the South or by a South-North coalition of civil society actors, only one out of the 28 claims was led by a Northern NGO (ibid.: 251f).

7) In the vast majority of cases, bank management denied any violations of policy and/or contested the claimants' allegations of harm (ibid.: 254). A self-critical and cooperative stance was hardly to be found.

8) In almost all cases, civil society claims and related IP investigations did not stop the projects in question, but often led to mitigated impact, temporary suspension of loans, or compensatory projects, or had some policy impact. Generally, the protest campaigns were more effective in influencing WB policy than in influencing the projects (Fox/Brown 1998c: 500-505).⁷

9) The introduction of the IP has led to greater awareness of environmental and social issues among Bank staff and reduced the number of large infrastructure projects with obviously disastrous environmental and social consequences, although many projects still fall short of fulfilling the minimum standards (Fox 2000: 300).

10) As the IP mechanism threatens to obstruct projects which do not adhere to the safeguard policies, there have been attempts in the WB to water down these policies by differentiating between mandatory and recommended policies (Operational Policies, Bank Practices and Good Practices) (Fox/Brown 1998c: 531).

As the encompassing and comparative studies of the IP date back to 1998 respectively 2003, there is a lack of scholarship on the IP cases of the past 12 years. Only a few of the 75 more recent cases of the Panel have been examined (e.g. Randeria/Grunder 2011).

⁷ The Narmada project can be seen as a paradigm case for this.

3. The Kwabenya landfill project in Ghana

The case of the Second Urban Environment Sanitation Project (UESP-2) in Accra/Ghana and in particular the conflict about the Kwabenya landfill which was part of this project will be examined here to illustrate the glocalization of accountability undertaken by the Inspection Panel and to fill a tiny portion of this gap. The examination is not only based on the sources cited below, but also on interviews with claimants, WB consultants and IP members concerned with the case.⁸

The UESP-2 (2004-2012) was a follow-up project, and like its predecessor (1996-2003) was concerned with urban living conditions in Ghana's five largest cities. Its objective according to the WB was 'to improve urban living conditions in regard to environmental health, sanitation, drainage, vehicular access, and solid waste management in a sustainable fashion, with special emphasis on the poor' (WB 2013: 3). It consisted of a loan of 62 mio US-\$ to provide urban infrastructure and services. The largest component, Solid Waste Management, included as a subcomponent the construction of a sanitary landfill for Accra at Kwabenya (ibid.: 5). Kwabenya is a village located approx. 20 km north of the centre of Accra.

The landfill plan had already been part of a DFID project which did not take place because of a change in funding policy in 2002 (cessation of project-specific funding in favour of budget support), and the World Bank agreed to finance the project under UESP-2 in 2003 (Oteng-Ababio 2011: 174f). The site had been chosen on the basis of an urban strategy for Accra of 1993 and an environmental assessment by DFID of 1999/2000 which did not take into account the fact that people had moved into the area since then and Kwabenya's residential area had grown (WB 2013: 10). The landfill site that was removed 1 km from residential areas in the early 1990s was no longer so a decade later. Ironically, this was to a great extent due to a road that had been built in the context of these plans.

After the residents of Kwabenya's Agyemankata community learned about the landfill from the newspaper in 2001 (Oteng-Ababio 2011: 177), they protested against the displacement of some and the grave health risks that the remainder of the inhabitants would be subjected to. They sent several protest letters to the Accra Metropolitan Assembly, but did not receive a reply or even a receipt. Disappointed and angry, they contacted the Centre for Housing Rights and Evictions (COHRE) in 2006. The NGO, after unsuccessful attempts to engage the WB office in Ghana on the issue, eventually filed the claim in 2007 on the behalf of the community to the IP. In it, they claimed violations of the WB's Operational Policy on Involuntary Resettlement (OP 4.12), specifically the lack of meaningful consultation and participation (the affected persons have gained information only through newspaper reports) and of a resettlement plan (COHRE 2007). So the type of project (infrastructure) and the claim (concerns about resettlement and environment) are fairly typical IP cases.

The WB management response claimed that 'the technical work during preparation and appraisal as well as the due diligence required under the Bank's environmental and social policies were adequately carried out and appropriately reflected in the Project Appraisal Document (PAD)' (World Bank 2007: 5 and 16). Management claimed that they had confirmed the authorities' commitment to prepare an acceptable Resettlement Action Plan (RAP) by April 2008 and not resettle any people prior

⁸ I am most grateful to my interview partners Harold Esseku (World Bank consultant), Sylvia Horname Noagbesenu (formerly Centre for Housing Rights and Evictions Accra) and Werner Kiene (formerly World Bank Inspection Panel) for valuable information.

to Bank's approval of the RAP (ibid.: 15). It also pointed out that according to the government of Ghana, officials from the Accra Metropolitan Assembly (AMA) delivering letters to members of the community inviting them to a meeting were detained for several hours and confronted with death threats should they ever return, insisting that they refused discussions on a dump in their community and asserting their right to protect their environment (ibid.: 13). While the management reaction is also typical for IP cases, the self-conscious, uncompromising and militant stance of the community is less so. The facts that the government applied the Executive Instrument in January 2007 to dispossess home owners by declaring the land to be 'required in the public interest' (Executive Instrument 2007) and the AMA even used red paint to mark those houses to be removed for the landfill did little to soothe the community. According to AMA, 89 land owners filed claims for compensation during the window of time where this was legally possible – the others were too late (McDiarmid 2010).

After a short visit by IP chairperson Werner Kiene in October 2007, the IP recommended an investigation in its Eligibility Report (WB IP 2007). The Board approved and IP members and consultants visited the proposed landfill site again in February 2008, met with the requesters, members of the Agyemankata community, stone cracker workers, government officials and Bank staff (in Accra and Washington, D.C.) (WB IP 2009: x, 7). The IP report criticizes the reliance on an outdated environmental impact assessment (xiii) the fact that alternative sites for the future landfill were not adequately examined (xv), and the lack of meaningful consultations with affected people (xviii, xxivf). Thus the report basically testifies the legitimacy of the requester's claim concerning a breach in WB safeguard policies. Moreover, it maintains that 'at least some in the task team felt that time pressure to prepare and submit the Project to the Board contributed to an underestimation of risks, and that the Bank should have done more to make sure that problems at Kwabenya were not handed over to the implementation period without insuring that they can be properly dealt with' (xxvii). Apparently, the time pressure to move the money is responsible for neglecting social and environmental issues also in this case.

After the Board had accepted the IP report and the management's action plan devised in response, the WB Vice President for Africa stated that the Bank understands the opposition to landfills but stressed that it was 'crucial to site these facilities in technically and financially feasible locations' (WB 2009: 2), provided that affected people are consulted and compensated. In this context, WB management stressed that community members had declined to participate in consultations.

Protest against the Kwabenya landfill did not stop and a massive demonstration in July 2010 saw queen mothers and traditional elders supporting the protesting youth. Traditional elder Asafoatse Ayitey II told the media: 'We are not vultures to be kept on a refuse dump. Our ancestors have lived here for hundreds of years without any health hazards.' (Ga East 2010)⁹ The latter claim is not quite convincing: the problem arose after the expansion of the Kwabenya township in recent years. The demonstrators also accused a government representative of having incited them to protest while he was still in the opposition while now after a change in power appealing to them to accept compensation so that their houses can be demolished (ibid.).

⁹ It is interesting to note that AMA paid compensation to some traditional owners and elders already in the years 2000-2003. Yet these were uncoordinated ad-hoc payments unknown to those who actually lived on the site, not official compensation payments in the course of the Executive Instrument (Ghana Web 2014, Oteng- Ababio 2011: 177).

WB management and consultants in response correctly pointed to the fact that the Kwabenya landfill was to be an engineered landfill which could not be compared to the dumpsites of Mallam and Oblojo which the community cited as negative examples. Nevertheless the charge of uninformed or even irrational protesters is not entirely convincing, as even an engineered landfill in a densely populated valley with a moving stream could hardly have avoided negative health impacts. Apart from that, the argument neglects the issue of displacement of part of the community. And the earlier unfulfilled promises made by AMA to the people of Kwabenya for the provision of amenities such as a clinic, potable water and electricity certainly did not contribute to trust on their part (Oteng-Ababio 2011: 177).

Agreeing to the WB Vice-President in 2010, the AMA program officer in charge was adamant that the project had to be implemented and stated: 'The AMA is of the view that a few people cannot hold to ransom the entire city... It's about the public interest.' In case of resistance, 'state security will handle it' (McDiarmid 2010). Here, the AMA expresses the clear intention to go forward with the project even if state violence has to be used to demolish the buildings and clear the landfill site.

Therefore it is surprising that the AMA later decided to discontinue with the construction of the Kwabenya landfill. The decision was made public only in October 2014 but according to the AMA Project Coordinator dates back to September 2012 (Jafaru 2014). However, a closer study of WB documents reveals that the decision was actually taken in 2010 and communicated to the WB in a letter by the AMA Chief Executive of Sept. 14 (WB 2011, annex 5) and confirmed by a letter by the Minister of Finance and Economic Planning in a letter of Aug. 11 (World Bank 2012, annex 1). The major reasons given are more encroachments, intensified agitations and the necessity that the project would have to be implemented under permanent security (WB 2011, annex 5).¹⁰

It is my contention that the involvement of the IP was crucial for this decision for two reasons. First of all, the legitimacy of the protest in the media representation was greatly enhanced by the Investigation Report which clearly stated that meaningful consultation had not taken place, alternative sites had not properly been considered, and the environmental impact assessment was outdated (WB IP 2009). These statements are mentioned or even quoted and elaborated upon in the media coverage of the protests (Ga East 2010, McDiarmid 2010, Bozzo 2010). The generally favourable media coverage of the protest, however, made the decision to use state violence to clear the site and implement the Kwabenya landfill (as announced by the AMA program officer) very difficult for the AMA.

The second reason why the IP was significant is because it made sure that WB management adhered to WB rules and procedures concerning the Kwabenya project in the future. The IP's involvement did not only mean media attention, but also that the project received the attention of the Executive Directors and that a sloppy handling of WB requirements (which obviously had been the case before as described in the Investigation Report) was no longer possible. This, however, meant that according to Operational Policy 4.12 on involuntary resettlement, a resettlement policy framework based on

¹⁰ Oteng-Ababio (2011: 176f) also mentions failure to identify actual land ownership and lack of inter-municipal cooperation, delayed land valuation and payment of compensation as factors contributing to the demise of the project, but the decisive one certainly was what he described as lack of social considerations: that the state authorities did not consider it necessary to consult the community they were planning to displace – which led to severe and enduring protests.

consultation of the project-affected people was indispensable (WB 2001/2013). Given the uncompromising and even militant stance of the community who overwhelmingly refused to even talk to AMA and WB management representatives about the issue, this consultation was impossible to achieve. To go forward with the project without the financial support of the WB (as the state of India had done in the Narmada case) apparently was not an option for the government of Ghana. Thus the involvement of the IP in the case required WB management to strictly play by the rules and demand consultations with the affected people from the government of Ghana which could not be provided because of the determined protest of the community. In this way, the IP proved a valuable tool for the struggle of the Agyemankata community against the Kwabenya landfill.

The story of the protest against the Kwabenya landfill is certainly a success story. Yet there is one aspect to be mentioned which should give us pause before romanticizing it as a victory of the poor and marginalized against the powerful actors in the Ghana government and the World Bank. The new settlements in the valley of Kwabenya township which were to be affected by the landfill were primarily ordinary houses – but not exclusively. Some of the houses at the top of the valley clearly belonged to more affluent people. However, it is beyond the scope of this paper to ascertain whether this fact influenced the decision to discontinue the Kwabenya landfill project.

4. Glocalization of accountability?

So: does the Inspection Panel lead to a glocalization of accountability? It is clear that the initially local protests against the Sardar Sarovar dam have had global repercussions leading to the establishment of the IP which now influences the accountability of World Bank projects on a local and national scale. The balance sheet of the Inspection Panel is complex and uneven and the conclusions here will be based only on the Kwabenya case. In this case, however, it is evident that civil society actors on a local scale managed to recruit the assistance of the IP which led to WB management insisting that the government agency adheres to the WB's resettlement procedures – which effectively impeded implementation of the project against the resistance of the local community. The latter's determination can certainly be seen as a crucial factor as well. Had the resistance against the project not been as enduring, uncompromising and even militant, and had it not been able to attract public interest and sympathy, the outcome would certainly be different. So judging from the Kwabenya case, there has been a glocalization of accountability: local accountability has been achieved through the accountability mechanism of an international organization.

It is also interesting to compare the research results to those of Randeria and Grundner (2011) Indian state did not abide by WB rules. Confronted with WB demands to pay compensation to urban poor without legal title who would be displaced by the Mumbai Urban Transport Project, the 'cunning state' India resisted this 'infringement on national sovereignty' as best as it could. The Independent Monitoring Panel it had to establish turned out to be only a dysfunctional accountability mechanism for the displaced. However, the latter's existence on paper was enough to soothe the WB's concerns. It seems that the relative power of the state authorities vis-à-vis the WB also plays a role, as does the media coverage, which was far less sympathetic in the case of Mumbai towards the rights slum- and pavement-dwellers compared to the case of Accra. The people affected by the MUTP could not use the IP report for their advantage to the extent as the Agyemankate community affected by the

Kwabenya landfill could. One significant factor in favour of the latter could be the decision not to exclusively or even primarily rely on legal mechanisms, but to see them as merely one line of support for their organized struggle.

5. Transnational Advocacy networks?

The results of this research can be seen as a partial affirmation of the theory of transnational advocacy networks (TANs) (Keck/Sikkink 1998). TANs are 'networks of activists, distinguishable largely by the centrality of principled ideas or values in motivating their formation' (1998: 1). These networks may include NGOs, social movements, journalists and even parts of IOs or governments (9) and they usually engage in information politics, symbolic politics, leverage politics and accountability politics (16). According to Keck and Sikkink, there are certain stages of impact of TANs: from issue creation and agenda setting over influence on discursive positions of states and IOs and influence over their institutional procedures to influence on policy change in targeted actors (25). The multilateral bank campaign which criticized the World Bank and finally succeeded in lobbying for an independent commission inspecting bank projects can be seen as a classical example for such a TAN having achieved the final stage of impact (25, 204, see also Fox 2002: 132f). What is relevant for our investigation of the IP is that Keck and Sikkink assume that advocacy networks make use of what they call the 'boomerang pattern': 'domestic NGOs bypass their state and directly search out international allies to try to bring pressure on their states from outside' (12), because democratic participation in their state is nonexistent or somehow blocked. The Kwabenya case fits in this pattern to a certain extent: the protesters from Agyemankata community, frustrated with the AMA, turned to the Accra branch of COHRE, who consulted their NGO headquarters and filed a claim with the IP in Washington which led to an investigation which strengthened the position of the protesters in the political system of Ghana, allowing them to stop the project.

However, whereas in the classical boomerang pattern TANs exercise leverage through public pressure, namely information and symbolic politics in press articles and protest marches, the institutional innovation of the IP allows them to exercise leverage through a politics of accountability which is not dependent on such methods – at least if the IP works as planned. The IP thus allows a technocratic shortcut for Southern NGOs: exercising political influence without having to mobilize the public. Judging from the Kwabenya case, it is probably safe to say that this shortcut would not have worked here. The mobilization of determined and militant protest was indispensable for the policy change that has been achieved.

What is little reflected in the original work by Keck and Sikkink but forms a prominent issue in other works building on this approach is the question which implications for state sovereignty this pattern of transnational politics has. The IP is supposed to enforce the environmental and social standards of the Bank in territory under the jurisdiction of a sovereign state. This effectively results in legal plurality and overlapping sovereignties (Randeria 2007). The IP process thus tries to attain an increase in democratic participation by undermining the sovereignty of the state and subjecting it to pressure from an IO with somewhat dubious democratic legitimacy.¹¹

¹¹ After all, the WB is governed according to the principle of 'one dollar, one vote' in the board of directors, not the UN principle of 'one country, one vote'.

6. Conclusion

We now return to the initial question whether the IP actually keeps the promise to be an independent complaints mechanism for people negatively affected by WB projects and to hear their concerns. Generally, the research points to a cautious affirmation. The IP certainly listens to the requesters and takes them seriously. Whether this leads to a positive change for the affected people is another story – one where other factors than the professionalism and the ethics of the IP members intervene. Based on the case study of the Kwabenya landfill, we can conclude that the IP is potentially a powerful tool if there is a highly mobilized community that manages to get positive media coverage. In a case like this, it may be invaluable to tip the scale in favour of affected people protesting against socially or environmentally harmful projects. In other cases, the IP may turn out to be less influential. However, current debates in the World Bank and the ongoing safeguard review point to the fact that the progress made in making the World Bank – and by extension, also its member states – more accountable to people affected by its decisions, is threatened (Horta 2015). That some factions within the WB apparently see the possibility to enforce social and environmental standards as a nuisance and a luxury which cannot be afforded in the competition with its new rival in Asia (the Asian Infrastructure Investment Bank) certainly points to the IP's – albeit limited – effectiveness.

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