

DRAFT FOR REVIEW ONLY

Creating A Canadian Federal Partnership Policy

CIELAP's Framework For Developing Federal Policy Around Partnerships

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The role of government in Canada is changing. As described by Langford (1999) the Federal Government of Canada has been, for most of its history, a closed system in which agenda setting, decision making, provision of public services, and the development and implementation of regulations and policies were guided by ministers and undertaken only by government departments with the occasional assistance of Crown corporations, regulatory agencies and contracted agencies. In this governance system jurisdictions were clearly divided; accountability and responsibility clearly defined, compartmentalized, and concentrated; and activities determined to be part of government were planned, undertaken and overseen only by government. Citizen and private sector involvement in this system was limited to electoral voting, involvement in party politics and pressure groups.

The last two decades have seen a dramatic shift from this traditional system. As phrased by Desautels (1999), the “who” of governance is changing. Decisions and actions are no longer being carried out by one department of the government. Rather, a hallmark of contemporary government is interdepartmental cooperation and the involvement of the private and non-governmental sectors the process of setting the policy agenda and executing it, including providing services and monitoring and evaluating success. This shift has included many trends and strategies including downsizing, subsidiarity, commercialization, contractualization, referenda, and new public management (Langford 1999: 105). None of them, however, have generated as much interest or discussion as partnerships (Bradford 2003).

In this context of new governance, the term partnership is very poorly defined, and is often used to refer to any working relationship. Nevertheless, “partnerships” have become an oft-used tool in the tool-box of contemporary governments. The federal government of Canada, for example has stated,

The government will weigh the benefits of alternatives to regulation, and of alternative regulations, against their cost, and focus resources where they can do most good. To these ends, the federal government is committed to working in partnership with industry, labour, interest groups, professional organizations, other governments, and interested individuals (Government of Canada Regulatory Framework as cited by Environment Canada <http://www.ec.gc.ca/epa-epe/pol/en/framework7.cfm>).

Many other federal and provincial departments have developed similar statements.

The Purpose of this Framework

As will be described in the next pages of this framework, there are both significant possibilities for benefit and for serious risks associated with the usage of partnerships. In order to maximize the benefits and minimize the risks associated with using them, the government needs to be deliberate and mindful in its use of partnerships. In particular, the literature on the subject points to the need within government to make significant cultural changes (Langford 1999, Rodal 1993, Consulting and Audit Canada 1998) and to create policy that will guide partnering behaviour (Rodal and Mulder 1993).

To these ends, however, there has been little progress. As noted previously, the federal government has stated that it will use partnerships, and most federal departments have stated that they will attempt to use partnerships, or are already using them. Additionally there have been several departmental branches established to provide guidance and promotion of partnerships. Examples include the P3 Office of Industry Canada, the Canadian Partnership Branch of CIDA, and the Leadership Network of the Treasury Board. At the writing of this paper, however, most federal departments have not generated any comprehensive policy concerning what partners they will undertake collaborative initiatives with, in what contexts, and what qualities those collaborations will have.

In fact, of all of the federal departments, it seems that only Environment Canada has developed any policy that goes beyond stating that it will seek to collaborate with outside bodies in order to better fulfill its mandate and will build capacity for partnering. It is the only federal level policy to clearly delineate how, with whom, and in what circumstances the department will seek that collaboration and how it will manage the risks associated with such collaboration (Environment Canada 2003). Even so, this policy only addresses partnerships for environmental improvement to the exclusion of the other types of partnerships that this framework will discuss later.

This paper addresses this policy gap by exploring the question: What policy framework at the federal level in Canada would lead to the development of the most beneficial partnerships? This paper has three objectives. First and foremost, it is intended to assist policy makers in all federal departments to create and evaluate their policies in order to use partnerships in a more advantageous. We encourage those policy makers to read this paper, to carefully consider its recommendations, and to implement them wherever possible. Second, this framework should help policy analysts and advisors to develop more detailed recommendations and critiques concerning partnerships at the federal level, and to begin developing policy recommendations and critiques concerning partnerships at the provincial and local levels. Third, this framework is intended to contribute to the on-going dialogue concerning partnerships for sustainability, their use, and policy and governance trends.

This paper comes out of The Canadian Institute for Environmental Law and Policy's (CIELAP's) ongoing work on sustainability. Our partnership work began in 2000 when we wrote our discussion paper Sustainable Development in Canada: A New Federal Plan. This paper noted that approaching sustainability requires the incorporation of a wide variety of perspectives and participation by all sectors of society. We noted that one such

tool to achieve this participation is partnerships. Interested in further exploring the potential for partnerships, as well as the issues surrounding them, we produced our first Partnering for Sustainability Conference in April of 2002. Out of that conference we produced a paper on partnerships and a one page checklist for partnerships that we distributed at the WSSD. In 2003 we approached the International Development Research Council (IDRC) for additional funds to continue our research on how public policy could be formed to support sustainable development through partnerships. This paper, a framework for evaluating policy regarding partnership usage, is one of four tools that are being developed as part of that research.

This framework will first explain further the need for government to define which external organizations it will partner with, how the partnerships will be formed, and in what contexts partnerships will be undertaken. It will then go through the process of beginning to create that policy. It will describe the continuum of relationships that are often called partnerships and what the potential benefits and risks of each relationship form are. Next, it will describe what each type of organization external to government can bring to partnerships, in order demonstrate what government can expect and should seek from relationships with and between each type of partner group. It will then describe what qualities should be structured into any type of partnership for maximum success. Finally, based on the preceding discussion, it will recommend a general set of guidelines that the Federal government should adopt concerning partnerships. It will also recommend the next steps towards creating comprehensive and effective federal policy around partnerships.

The Importance of Developing Policy Around Partnerships

“Government officials, who are accountable for the exercise of public authority and the expenditure of public funds, cannot simply give up power and resources to external actors; they must ensure that they have authority to do so and that there is adequate accountability for results”

-Kenneth Kernaghan¹

In order to have a deeper understanding of the benefits and risks associated with partnerships, it is important to comprehend why they are being used, and why during this time period. Such an understanding can help to guide their future use. The following are the social, political and contextual factors that have been proposed as possibly motivating government’s decision to use partnerships as a new tool for governance.

One possible reason is closely tied to the emergence of the concept and goal of sustainability. With the emergence of this concept there has been wide recognition that the issues and problems affecting society are interconnected and that solving them requires the synthesis of diverse realms of knowledge, which are held by different sectors and groups in society (Rodal and Mulder 1993, CIELAP 2002). Introducing collaborative projects and decision-making mechanisms, or partnerships, into governance can bring together that disparate knowledge to advance sustainability (see case study 2 in appendix). Additionally, by creating a culture of cooperation and collaboration,

¹ as quoted in Rodal and Mulder 1993:37

particularly in the area of environmental improvement, government can create more effective programs by working with polluters, who have more knowledge about where their impacts come from than government itself does, and who have the ability to act beyond regulations. Experiences within the federal government (Environment Canada 2001, Harrison 2001) have shown that, given some sort of potential benefit, polluters often will do so.

A second possible reason, and one supported by the federal government's own statement, is that citizens are demanding more of government than it has the capacity to provide. Within this context, government has searched for new ways, including partnerships, to provide services and governance at lower costs. Government has found that through collaborative initiatives, service provision be achieved at a lower cost up-front (Lindquist 1993, Harrison 2001, Desautels 1999, Rodal and Mulder 1993, Bradford 2003). Within this context of working towards more efficient and rationalized processes, government has also looked at, and experimented with the adoption of more corporate style practices. Many believe that working in partnership with business partners enhances government's capacity to adopt this organizational style (Bradford 2003, Harrison 2001).

A third possible reason for using partnerships in attempting to achieve behavioural improvement (particularly around the environment) is suggested by Harrison (2001)². This rationale states that government is pressured by those that it regulates within the private sector to weaken or reduce regulations. Often such businesses are powerful political constituencies. In periods when economic concerns are higher priorities for the public than environmental concerns, the public will tend to be uninformed and apathetic concerning environmental issues. Politicians seeking re-election will thus tend to cater disproportionately to the interests of business. By shifting from a command and control system of regulation to a more collaborative system, regulations can be reduced, without the government losing face.

A fourth possible reason is voiced demand for citizen participation. Some contemporary thinking on democracy advances the idea that decentralization and increased stakeholder participation can "revitalize local democracy and empower community based development" (Bradford 2003 :1005) while addressing problems of social exclusion (Desautels 1999, Dorcey and Mcdaniels 2001, Bradford 2003). Partnerships can thus provide a vehicle for promoting better, more inclusive and responsive government.

Other factors that have encouraged the development of this devolved, decentralized system of governance include 1) the development of information technology, which allows geographically and organizationally disparate groups to communicate and share information easily (Desautels 1999, Rodal and Mulder 1993) and 2) globalization, and the subsequent shift of power from national bodies to international and transnational bodies (Howlett 2001, and Desautels 1999).

Deriving from the possible motivations for adopting partnerships outlined above, the following are the potential benefits and risks for government of partnerships.

² Within the same article Harrison suggests other reasons why government would use voluntary instruments, which are described within the other possible reasons here.

The potential benefits of partnerships are:

- 1) better capacity to be responsive to the needs of all stakeholders in government
- 2) greater efficiency in the provision of public services
- 3) development of more innovative solutions to environmental and social problems (and thus advancement of sustainability) (see case study 2 in appendix)
- 4) cost-effectiveness
- 5) potential to improve environmental quality beyond regulations (see case study 2 in appendix)

The potential risks of partnerships are:

- 1) no accomplishment and a waste of resources (see case study 1 in appendix),
- 2) inadequate accountability in the provision of public services by bodies outside of the government and subsequent deterioration of services
- 3) lack of government control over costs resulting in higher costs of public service provision
- 4) particularly in the context of the environment, reduction and weakening of regulation resulting in deterioration
- 5) potential for political patronage, bribery, and influence peddling by business
- 6) lack of capacity for implementation of agreements by outside partners, and thus poor or no implementation of policy
- 7) inequitable program delivery
- 8) inadequate accountability and transparency (see case study 1 in appendix)
- 9) development of dependency on or by government

When government approaches partnerships in a haphazard, or unplanned way, the chances of experiencing the pitfalls of partnerships, is at least as likely as experiencing the benefits. In order to have effective government within the context of decentralization and delegation the government must state how it will partner, with whom, in what contexts and for what purposes. The following sections will begin to establish the conceptual framework that government will need in order to make such a statement.

A Word About the Appropriate Usage of Partnerships

The types of sustainability projects that can be undertaken in collaboration include: environmental improvement, service delivery, infrastructure development and operation, policy making, monitoring and auditing of policy and regulatory implementation (Langford 1999: 105). It is important to note that all of these are vital government functions, required for a healthy, sustainable society and environment. Thus the partnerships that are undertaken around these aims must be fully accountable, and must have guaranteed results.

One way of making sure that projects result in promised action, and within appropriate standards, is by keeping regulations strong. There has been some misconception that, because the actions undertaken in partnerships sometimes lead to the surpassing of regulated standards, they can replace regulation. However, as explained by Harrison (2001), without strong regulatory standards, the actions leading to that improvement would probably not have been undertaken. Similarly, in service provision partnerships,

the quality of provision often improves, but only in the context of enforced standards (Canadian Council for Public Private Partnerships: 2002). The actions undertaken in partnerships are voluntarily agreed to. Without a context or regulation and enforcement, there is little motivation to join partnerships, and even less motivation to comply with the commitments made in them. Partnerships cannot replace regulation.

Other factors in creating effective partnerships include choosing a relationship in which risks can be managed, selecting appropriate partners, and establishing an appropriate partnership structure.

Continua of Collaborative Relationships

Though this paper is concerned mainly with partnerships, it has not yet defined the term. This is because in current policy the term is ambiguous and tends to refer to any collaborative or joint working relationship. Such a definition was appropriate when discussing why the government has chosen to use partnerships, and the risks and benefits associated with those relationships. However, in order to effectively form policy that will assist government in entering into the most beneficial relationships, such a definition is not useful. There is a wide range of joint working relationships, all of which bring with them different benefits and risks. Some of these are useful for achieving good governance and sustainability while others are not. In order to define what types of relationships government will enter into with external bodies, (or how government will partner), it is necessary to understand the continuum of possible collaborative relationships, their risks and benefits, and what types of aims they are appropriate for achieving.

Partnerships can and do occur between all possible combinations of government bodies, private sector organizations or businesses, and non-governmental organizations (NGOs). Although there is a great diversity within each type of organization, as will be discussed, it is possible to make some generalizations about what types of relationships are possible within and between each sector, and what the potential benefits and risks of such relationships are. It is important to understand the potential collaborative relationships that do not involve government, as well as those that do because the federal government not only participates in partnerships, but also supports partnerships outside of itself through funding and capacity building (for example, CIDA's IPPP and ESDP programs, and NSERC's I2I program).

The dynamics between the three sectors are different. Accordingly, the following pages present three different continua which discuss the possible joint working relationships 1) within a sector, 2) involving government and organizations external to it and 3) between NGOs and business. The continua and the analysis that follows them are very general. For more in-depth discussions of the various types of joint working relationships, and issues associated with them, please refer to the resources cited above each chart.

In each of the following three continua, the definition of a true collaborative partnership is the same. It is,

an arrangement between two or more parties who have agreed to work cooperatively toward shared and/or compatible objectives and in which there is: shared authority and responsibility (for the delivery of programs and services, in

carrying out a given action or in policy development); joint investment of resources (time, work, funding, material, expertise, information); shared liability or risk-taking; and ideally, mutual benefits (Rodal and Mulder 1993: 26).

Intergovernmental, NGO/NGO, Business/Business Partnership Continuum

this continuum is derived from Langford (1999), and Gomes and Tesolin (2003)

Continuum	working separately	information sharing	association	joint projects (see case studies 1 and 2)	partnership	cooptation/ combination
relationship qualities	each organization works independently with no interaction	organizations work separately but share information	organizations work separately but have areas of coordination, agreement and information sharing	organizations work together on project design and/or implementation, all aspects of decision making and execution not shared	fully shared decision-making in project development, joint implementation, joint accountability	an organization is either overtaken by another, or they are combined
purposes	organizational independence, specialization	increase capacity	increase capacity and influence, create standards	increase capacity, implement more and better projects	more and better project implementation, greater influence, capturing of joint interests	efficiency in operation, elimination of duplication, joining of similar mandates
tools	none	pamphlets, meetings, workshops, seminars, reports	industry associations, NGO coalitions, inter-departmental or joint ministerial bodies	contractual implementation agreements, joint working groups	partnership agreements, often contractual	take-over, buy-out, merger, consolidation, creation of a new organization
sustainability benefits	none	increased capacity, increased knowledge base less likelihood of unnecessary replication of work, lines of accountability and mandates remain clear,	greater coordination of activities, capacity development, standardization, accountability and mandates remain clear	implementation of more projects, coordination of efforts, ability to undertake larger projects with more diverse perspectives	coordination of efforts, realization of joint benefits, capacity building ability to undertake larger projects with greater sustainability outcomes	reduction of inefficiency
risks	inefficiency, replication of work,	potential for sharing sensitive or confidential information, or use of information for negative purposes	potential for unbalanced influence by certain members, has the potential to transmit an inaccurate impression of the sector	lines of accountability become unclear, potential for cooptation	lines of accountability can be unclear, if poorly structured possibility of non-accomplishment	loss of diverse perspectives, potential shift of focus

Government/External Group Partnership Continuum

This continuum is derived from Rodal and Mulder (1993:26-29), Gore et. al. (2004: 21), and Dorcey and McDaniels (2001: 252).

Continuum	exclusive government control	consultation	consensus	joint projects	partnership	control by	
						private sector	NGO
relationship qualities	little or no consultation or responsiveness, strict, closed government hierarchy	government listens to various points of view, does not necessarily respond	responsive consultation, leading to joint agreement on solutions, government carries out actions	participation in design and delivery of action, often a contributory agreement, accountability remains in government hands	fully shared decision-making in policy development, joint implementation, joint accountability	privitization, all decisions and execution in business hands	devolution, all decisions, and execution in citizen or NGO hands
purposes	maintain government control, militaristic stability	maintain government control, attempting to become more responsive	create widely supported, effective policy	create widely supported variety of initiatives, increase inclusiveness	provide better services at lower cost that respond to society's needs	provide services without government resources	provide services without government resources,
tools	none	surveys, focus groups, public hearings	consensus conferences, advisory committees, policy dialogue	contribution agreements, co-management, community board, contractual agreements	partnership agreements, often contractual	privitization, P3	community projects,
sustainability benefits	accountability is clear	potential for more responsiveness and integration of diverse knowledge, accountability clear	widely supported policy, potential for better achievement of sustainability goals, clear accountability and control	programs include a wider range of perspectives, potential for more responsive governance, potential for cost reduction	cost reduction, widely supported initiatives, responsive and inclusive governance,	more services provided at no or low cost to government	more services provided at no or low cost, perception of open government
risks for government	unresponsive system, may not serve needs of constituents, difficulty in achieving sustainability	potential that government will be selectively responsive	potential for selective inclusiveness	lines of accountability blurred, potential for inadequate implementation, potential for cooptation	potential for: unclear lines of accountability, non-achievement of joint objectives, development of excessive influence by partnering organization	lack of control over prices, practices, no accountability, potential for lack of regulatory enforcement	lack of accountability, potential for poorly carried out projects

Private Sector/NGO Partnership Continuum

The following continuum derives from the three typologies of business/NGO partnerships outlined in Pollution Probe's forthcoming paper "ENGO-Business Partnerships: Lessons learned" (2004: 15-21). The terms used to classify the various types of partnerships are not derived from the paper, but refer to various relationships outlined in it. Both joint projects and alliances are examples of partnerships as defined by Rodal and Mulder.

Continuum	no involvement	contribution	knowledge/ information sharing	certification	joint project	alliance or partnership	cooptation
relationship qualities	each organization works independently with no interaction	business makes a contribution to an NGO without asking for anything in return, except possibly recognition	one groups shares knowledge about how to improve operations with others	NGO monitor's private sector group(s) behaviour based on set standards, and certifies products as being "green" or "sustainable"	NGO and business undertake a project together that serves both of their interests, design and implementation may or may not be shared, the project uses resources from all partners	groups work together either towards policy change or development of environmental management systems for business	NGO loses voice due to working with private sector or dependency
purposes	organizational independence, specialization	charity and philanthropy, improving employee morale, tax shelter	either to improve NGO capacity or business practices related to environment or society	to increase markets share of sustainable products	to improve public perception of private sector organization(s) and fulfill NGO mandates	to improve sustainability of business or sector behaviour	reduce opposition to unsustainable business practices
tools	none	financial donations, employee volunteer programs, other material contributions	research reports, seminars, training workshops, information pamphlets, consultation	labeling systems, product endorsements, certification programs	wilderness protection projects, projects in targeted locations, use or sale of products from sustainable eco-areas	green systems alliances, green policy alliances, joint working groups	buy-out, suppression, blackmail
sustainability benefits	none	improves capacity of organizations doing sustainability work	can reduce private sector's negative impacts, or improve positive impacts of private sector or NGOs	rewards sustainable business practice, encourages businesses to meet high standards	improves image of more sustainable businesses, increases implementation of sustainability projects	creation of innovative sustainability solutions that consider diverse perspectives	none
risks	inaction in private sector towards sustainability	potential questioning of NGO credibility, can give skewed perception of business integrity	potential for a waste of resources if information is not shared in a productive way	potential for: endorsement of products with large impacts, decreased credibility for NGO	potential for: non- completion of projects, dependency on private sector partner can develop, often only short term impacts	potential for watering-down of NGO perspective due to association	lack of public voice and opposition to negative practices

As should be obvious from the preceding charts, there are risks and benefits associated with any type of collaborative relationship. The following summary will assist in determining what types of relationships government should be considering and supporting.

What first becomes clear is that relationships at both ends of all three continua are more risky than they are beneficial. When there is no level of association or collaboration, achieving sustainability objectives is very difficult. At the other end of the spectrum in relationships where government fully relinquishes control there is a complete loss of accountability, which is completely unacceptable. In relationships that do not involve government, relationships that lead to cooptation or takeover are similarly unacceptable, as they lead to a reduction in perspective and of independent actors. Clearly, government should avoid having a closed system, handing over full responsibility for providing public services (including monitoring and regulation) to external bodies, and supporting relationships in which it is obvious that a collaborator is going to be dominated or co-opted.

The potential for risks and benefits are better balanced in the relationships within the centers of the continua. The continua show that as the level of intensity of interaction between organizations increases, so does the potential level of benefit and of risk. Thus true partnerships, which are found just before the right end of the spectrum, carry with them the most potential for benefit, but also the most potential for risk. Similarly, relationships like information sharing, consultation and contribution are not very risky, but also have very few potential benefits.

Policy should seek to maximize the potential benefits that can be received through collaboration by seeking to foster close working relationships. It should only do so in situations where there is a guarantee that the potential risks of the working relationship can be managed. In other words, the government should look for opportunities to use true partnerships in order to achieve sustainability objectives. However, it should never enter into or support true partnerships in which accountability and achievement of objectives cannot be guaranteed. When accountability and achievement of objectives cannot be guaranteed, less intense relationships on the continuum should be considered until one is found that is appropriate to the project or programme needs, and in which the risks described above can certainly be managed.

IV. What Different Types of Partners Can Bring to Partnerships

It is not only important that government choose an appropriate relationship structure for the joint working relationships that it joins and supports, but also that it choose appropriate partners for its projects. It has already been noted that there are three general sectors that partners can come from: government, business and non-governmental organizations (NGOs). Within each of these sectors there are a variety of types of organizations which have capacities to implement different types of projects, different types of risks associated with working with them, and bring diverse perspectives to the table. Understanding the types organizations within each sector can further assist in the development of appropriate policy. The following pages will describe the types of

organizations within each sector, their capacities, and the risks and concerns associated with working with them.

NGOs

In the broadest sense, non-governmental organizations are those organizations not based in government and not created to earn profit. NGOs, thus include a huge range of organizations with interests as diverse as stamp collecting, gun control, abortion issues, wilderness preservation, and far more. Because this framework is concerned only with partnerships for sustainability, it uses the term NGO to refer only to those non-profit organizations which function with the purpose of achieving a social or environmental goal. Within this more narrow definition of NGOs, there remains a wide diversity of organizations (ADB 1998, World Bank 2000).

According to the World Bank, the general strengths that NGOs can bring to partnerships are:

- (a) social proximity (grassroots and community links);
- (b) field-based development expertise;
- (c) important specialized knowledge or skills;
- (d) the ability to innovate and adapt;
- (e) the ability to bring grassroots experience to discussions of development on a national scale;
- (f) participatory methodologies and tools;
- (g) long-term commitment to and emphasis on sustainability; and
- (h) cost-effectiveness (World Bank 2000)

The potential limitations of NGOs are

- (a) limited financial, analytical, and management expertise;
- (b) limited institutional capacity;
- (c) gap between stated mission and operational achievements;
- (d) low levels of self-sustainability;
- (e) isolation/lack of interorganizational communication or coordination (Clark 1991)

The following classification of NGOs was drawn from the Asian Development Bank's policy statement concerning its engagement of NGOs (1998) and the World Bank's statement concerning the same (2000). NGOs can be classified by their functional roles, and the scale at which they work. Many NGOs cross the boundaries between functional roles and the scales at which they work. Most, however, focus the majority of their work in one functional role and at one scale.

The two types of functional roles of NGOs are operational or advocacy. Operational NGOs are those organizations "whose primary areas of activity are directed toward the contribution or delivery of development or welfare services, including emergency relief, and environmental protection and management" (ADB 1998). Operational NGOs also can deliver social services, such as education, health care, etc. Advocacy NGOs are those organizations "whose primary orientation is toward the advocacy of policies or actions that address specific concerns, points of view, or interests" (ADB 1998). They are often involved in research, public education, public dialogue, litigation, monitoring and

auditing and involvement in political processes in order to influence the policies and practices of governments or businesses. They often voice points of view and concerns that would not otherwise be heard in social, economic, and political processes.

There are two scales at which NGOs function: at the community level, and at the national and international levels. NGOs operating at the community level are made up of members from that community. Often, they have joined to address immediate community-based interests. Although they often possess limited capacity for project implementation and research, their specialized knowledge and local connections can greatly improve the development and implementation of projects that require identification of local needs, require context specific knowledge, or require the participation of the community. NGOs operating at the national and international levels have broader knowledge of the issues that they address. While they have less local knowledge for project implementation and development, they often have greater technical and organizational capacities. They can also serve as intermediaries between local NGOs and governments, multilateral institutions, and businesses, and can coordinate larger projects.

In the context of partnering, joining with different types of NGOs is appropriate for achieving different ends. For example working with an international advocacy NGO to implement a local welfare project is much less likely to be effective than undertaking a similar project with a community-based operational NGO. In all of the following recommendations, it is very important to remember that there is a vast diversity of NGOs and that the majority of them are highly specialized. Partnerships and collaborations should only be undertaken with NGOs that have an appropriate specialization.

Based on the capacities of the different types of NGOs discussed above, the federal government should adopt the following general stances regarding NGO collaboration.

Policy Development

First, the government should invite all types of NGOs to contribute their perspectives concerning all five types of projects that partnerships can address (policy development, environmental protection, service provision, infrastructure development and operation, and monitoring and audition of regulatory success and compliance). When government considers these perspectives, the likelihood of developing and implementing projects and policies that serve the most needs of the most groups is increased(World Bank 2000).

Similarly government should share policy research and development with NGOs. Government should always have the final say in policy adoption, but it is appropriate to share the research and development of Federal policy around sustainability issues (i.e. those around environment, society, or economy) with national advocacy NGOs who have demonstrated their capacity in that field (Clark, et. al 2001).

For an example of a partnership that involved NGOs in policy development, please see case study 2.

Environmental Improvement, Service Delivery, Infrastructure Development and Operation, Monitoring and Auditing

NGOs should also be given a role in the development of projects and initiatives in all five areas. This role should be more substantial than simply commenting on decisions that the

government has made or is planning on making, but should be a contribution of ideas of what government can do and even the full articulation of those ideas, prior to the declaration or implementation of a project. The NGOs that should be invited to participate in such a process should have more expertise related to the aim of the project that is being designed. Ultimately, the decision of what types of actions government is going to take should remain in government hands, but having projects designed by NGOs can improve their effectiveness and relevance.

Collaboration and partnership with NGOs for environmental improvement, service delivery, infrastructure development and operation, and for monitoring and auditing can be appropriate. For the first three activities it is highly unlikely that any advocacy NGOs will have the capacity for project implementation. Because of their experience with research and reporting, however, they may make good partners for monitoring and auditing activities (Gore, et.al. 2004).

In any operational partnership, the government must be sure that the outcomes of the implementation will at least meet the level that they would under government control. Additionally, the government must be very careful to select NGOs that have the following qualities at an adequate level for the needs of the project:

- (a) credibility: acceptability to both stakeholders and government;
- (b) competence: relevant skills and experience, proven track record;
- (c) local knowledge;
- (d) representation: community ties, accountability to members/beneficiaries, gender sensitivity;
- (e) governance: sound internal management, transparency, financial accountability, efficiency;
- (f) legal status; and
- (g) institutional capacity: sufficient scale of operations, facilities, and equipment (World Bank 2000).

Because of their focus on providing services and information in problem areas, and to marginalized groups, very few NGOs will have developed the capacity to implement large scale infrastructure development and operations projects.

Private Sector

In evaluating what types of partnerships are appropriate with which members of the private sector, it is important first to understand that the main objective of the private sector is to create profit (Alsopp 1995). Businesses can be motivated to improve the community in which they work and the world around them, but in order for businesses to continue to function they must always, first and foremost, generate profit, because, “[w]here a business is not profitable there will be no chance to undertake [sustainability] projects”(INTRAC 2000:3).

Service Delivery and Infrastructure Development and Operation

This profit motive impacts what types of partnership projects are appropriate to undertake with business in two ways. First, businesses must function efficiently and effectively within the sector that they operate, keeping costs down, and the quality of their product or service high in order to be competitive with other businesses undertaking similar activities. The result is that businesses are often able to provide the same services at a

higher level of cost effectiveness than government or NGOs. Second, the profit motive is always functioning within business, regardless of the level of altruism of the business's owners or employees. As a result, some businesses will do anything that they can in order to increase profits, including reducing the quality of a service, increasing or not decreasing pollution discharges, covering up negative impacts of products that they produce, etc (Harrison 2001). While this is not true of all businesses, there is no way to tell which businesses will act ethically. What this means for partnering is that 1) the private sector can be an appropriate partner for service provision and for infrastructure development and operation and that 2) in partnerships around the provision of vital services, government must retain some level of control, and there must be full accountability for the actions that the private sector partner undertakes.

Concerning that accountability, Langford notes the following (1999: 109),

The use of partnerships can provide a positive boost to the movement for accountability through performance measurement. Public-private infrastructure partnerships often are an opportunity to provide sharply focused outcome-based evaluations. Even in areas such as health care, solid, measurable connections can be made between intervention and results. But, in social service areas, performance measurement is underdeveloped and often opposed by [non-profit] partner agencies... These partner organizations resist centre-inspired outcome measurements that, they argue, foster competition, undermine the servicing of difficult clients and conflict with their long-standing service priorities. In addition, they can be expensive to implement.

Thus, partnerships with the private sector are less appropriate in the provision of social services, particularly those that deal with difficult or marginalized clients.

All private sector bodies are not equally suited to partnerships for service provision and infrastructure development. Industry Canada (2001) suggests the following criteria for selecting a private sector partner for such ends. The criteria are: the demonstrated financial and managerial capacity of the partner, the experience of the partner similar projects, the cost effectiveness of the project proposed, the partner's commitment to finding a solution that will benefit all parties, the demonstrated understanding of the government's needs, the legality of the proposed solution, the viability of the project proposed, and demonstrated compliance with other agreements and regulations of government. They also suggest that the government undertake a selection process in which potential partners compete with each other for the partnership.

Environmental Improvement

While non-point sources of pollution, such as motor vehicles, households, and small retail businesses have significant environmental impacts, industrial manufacturing and service provision facilities concentrate environmental impacts. They use huge amounts of resources, and produce high levels of potentially very harmful emissions (NPRI 2004). Because of the subsequent potential for improving environmental conditions through changes in its behaviour, and the knowledge that this sector has about emissions and resource use, it is uniquely appropriate for joining partnerships for environmental improvement.

The federal government should support any partnerships with businesses for environmental improvement. It can support such partnerships between these businesses and NGOs, or can enter into them itself. “On industry’s part interest may stem from the increased flexibility an agreement may allow in achieving an environmental objective, and the increased certainty that such an agreement can provide. Industry may also be interested in the opportunity to enhance its public image or to improve its relations with government [or the community]. At the same time, Canadians can benefit by having government address an environmental problem and get comparable results at lower costs than by using conventional regulatory instruments.”(Environment Canada 2003: Introduction). Clearly, it is important that partnerships not be seen as replacements for environmental standards and regulations. While businesses in these sectors can be applauded for an interest in voluntarily reducing their environmental impact, it must be remembered that they will only make changes if they can see a benefit in doing so.

Government should also support and enter into partnerships for environmental improvement with non-industrial facilities and small and medium enterprises (SMEs). These businesses are not subject to the same levels of regulations as industrial facilities. Nevertheless they also have significant environmental impacts, though not in the same concentrated quantities. The potential for environmental improvement in these sectors is also significant, though the motivation for joining partnerships for environmental improvement is often very different. In smaller or non-industrial businesses, motivation to join partnerships for environmental improvement may come from a desire to capture a new market, through the marketing of “green” products or services. Because of these businesses are less regulated than industrial facilities, the costs of monitoring and of enforcement of regulations is lower for these sectors. Subsequently the cost effectiveness for government of joining such partnerships may not be clear. Nevertheless, where benefit for government can be found in joining or supporting such partnerships, government should take the opportunity for environmental improvement.

Monitoring and Assessment

Businesses are most often the bodies that are regulated. They have neither the public interest thrust that NGOs do, nor the self-interest in improving regulatory compliance and effectiveness that governments do. What they do have is an interest in reducing or avoiding regulations. As a result it is very difficult to look to business to provide an unbiased look at compliance with government policies and regulations. For the most part, partnerships with business for monitoring and assessment are completely inappropriate.

The only exception to this is auditing and accounting bodies which focus on environmental, social or sustainability issues. There are many credible, for-profit accounting and auditing bodies which have developed appropriate methodologies for measuring environmental and social impacts as well as the capacity for using those methodologies. Examples include members of the Canadian Association of Environmental Auditors, and PriceWaterhouseCooper’s Assurance and Reporting of Non-Financial Information program. In situations where neither government nor NGO bodies have the capacity to provide monitoring and auditing services, it may be appropriate to engage with one of these private partners. If this is going to be done, it is

very important that the auditing and monitoring be verifiable, done in a completely transparent way, and occasionally verified by a government or NGO body.

Policy Development

Though the private sector does not tend to have expertise concerning how policy can impacts on the environmental and social aspects of society, it is the expert on how policy impacts on economic growth. Continued economic growth and robustness is a vital aspect of social well being. Accordingly, the private sector should be invited to provide its perspective concerning policy development that will have significant economic impacts. This perspective should be considered in balance with the perspectives of NGO groups, and government bodies and should not overshadow those other perspectives. The private sector should not be invited to help create policy that will not have significant economic impacts as this type of policy neither affects the sector, nor does the sector have appropriate perspectives or information to contribute to the development of such policy. The only exception is in situations where a private sector body has specialized knowledge that may assist in creating the best possible policy. In these situations, it is appropriate for the private sector to play a consultative role in policy development. Under no circumstances is it appropriate for the private sector to lead policy development.

Other Levels of Government

There are often areas in which programs between federal departments and between the federal level and provincial and municipal levels overlap. Such overlap can lead to resource inefficiency and duplication. In situations where there are common jurisdictions and the potential for common programs, it is advisable for the federal departments to partner and for the federal government to partner with provincial and municipal governments to reduce inefficiency. These partnerships can involve consultation, reduction of duplication, co-program delivery, and even transferring certain types of program provision to different federal departments or to provincial or municipal governments, provided such transfers are accompanied by adequate resource and capacity increases. These types of intergovernmental partnerships can be very effective in all five partnering areas.

Even where there are not areas of overlap, different federal departments, and provincial and municipal governments may have expertise, experience and perspectives that could help the federal government to create more effective policies and programs. During project, program and policy design and creation, the federal government should engage provincial and municipal governments as advisors and consultants. Federal departments may look to one another if they feel that another department may have useful expertise or a valuable perspective.

Although all levels and departments of government in Canada have relatively similar cultures and parallel overall goals, there is always the risk, as in any type of partnership, that lines of accountability will become unclear. In any federal partnership it is very important that accountability be clearly articulated and monitored.

For an example of an intergovernmental partnership please see case study 1.

Other Governments

In addition to its goal of ensuring the well being of its constituents, the federal government is a member of the international community, and does its best to fulfill its obligations in that role. Included in this role are responsibilities to: assist in peace keeping, help less developed countries, assist other countries in times of emergencies, contribute to the global commons of knowledge, trade with other countries, and comply with international agreements. Knowledge and resource sharing partnerships with other governments, can assist the Federal government in fulfilling these roles.

In terms of achieving governance within Canada there are a few areas in which partnerships with other national governments can be appropriate. First, other governments will often have experiences in policy and program development and delivery which can inform the federal government's own development and delivery activities and can be shared through collaborative relationships. Second, joint projects with other governments to undertake research and knowledge development can help increase the capacity of the Federal government in all five realms of partnership projects. Thirdly, there may be areas in which it is appropriate to develop joint policies with other national governments, in order to achieve harmonized standards, or trans-national goals. Finally, the federal government may enter into agreements with other national governments for the achievement of joint goals, such as the Kyoto Protocol or the Biodiversity Convention. Concerning the last two points, it is vital that the federal government maintain its sovereignty, and that it enact joint policy and sign onto international agreements only when there is adequate political support for such actions, and those actions are within the jurisdiction of the federal government.

Concerning partnerships for implementing projects, including projects for environmental protection, service provision, infrastructure development and operation, and monitoring, it is generally inappropriate for the federal government to partner with other national bodies. The capacity of other governments for actually undertaking projects in these areas is, for the most part, no better than the capacity of the Canadian government. Additionally, national governments do not generally fill the role of providing services and developing projects in other countries. Furthermore, the enforceability and legitimacy of such arrangements can be questionable. Precluding significant changes internationally in the roles of national governments, the federal government of Canada will not likely be presented with opportunities to partner with other national governments with the purpose undertaking projects within Canada, nor should it seek such partnerships.

The Qualities of Successful Partnerships

There are ten qualities which successful partnerships have. The importance of these qualities, and how partnerships can go about achieving them is discussed in CIELAP's forthcoming Checklist for Partnerships (2004), currently available in draft form on CIELAP's website. The qualities are that:

- 1) The partnership has a solid base of joint commitment and understanding,
- 2) There is a clear and appropriately detailed plan for achieving the goals of the partnership,
- 3) Each partner clearly benefits from the partnership,

- 4) Sufficient and appropriate resources are committed from all partners for achieving the goals of the partnerships
- 5) The partnership has an appropriate level of formality
- 6) The partnership has good leadership
- 7) The partnership has clear and enforceable lines of accountability
- 8) Partners communicate in productive and supportive ways
- 9) There is trust in the function of the partnership
- 10) Accurate and appropriate indicators are used to evaluate and improve the success and progress of the partnership

In order to undertake and support effective partnerships, the federal government must include in its policy mechanisms that will lead to the realization of these ten qualities in the partnerships that it participates and supports.

For an illustration of how these qualities can impact on partnerships please refer to the case studies

Recommendations

The following recommendations are very general, and drawn from the preceding discussion. These policy recommendations can provide a base from which the federal government can develop the much more specific policies that it will need in order to effectively use partnerships.

Concerning the types of initiatives that collaborative relationships can address:

- collaborative relationships can appropriately address: environmental improvement, service delivery, infrastructure development and operation, policy making, monitoring and auditing of policy and regulatory implementation
- collaborative relationships, including true partnerships and voluntary initiatives, should never replace regulation

Concerning the types of collaborative relationships that the federal government should join and support:

- The federal government should allow for the development of collaborative initiatives.
- Under no circumstances should the federal government fully relinquish control of services that can be considered vital.
- The federal government should not support collaborative relationships among groups outside of itself that might lead to cooptation or take-over.
- The federal government should approach collaborative relationships from a risk management perspective. It should seek to enter into and should support the most collaborative relationships possible, in which all risks are clearly manageable.

Concerning partnering with NGOs:

- The federal government should invite all types of NGOs to contribute their perspectives concerning all five types of projects that partnerships can address.

- The federal government should share policy research and development with NGOs, while always having the final say in policy adoption.
- NGOs with project implementation experience or extensive contextual knowledge should be invited to help to develop projects for which they have appropriate expertise.
- Collaboration with operational NGOs for environmental improvement, service delivery, and for infrastructure development and operation can be appropriate.
- Collaboration with either advocacy or operational NGOs can be appropriate for monitoring and auditing.
- Collaborative implementation should only be undertaken with NGOs that have the following qualities in adequate amounts for the project's needs
 - (a) credibility
 - (b) competence
 - (c) local knowledge
 - (d) representation
 - (e) good internal governance
 - (f) legal status
 - (g) institutional capacity

Concerning partnering with the private sector:

- The private sector can be an appropriate partner for service provision and for infrastructure development and operation.
- In partnerships around the provision of vital services, government must retain some level of control, and there must be full accountability for the actions that the private sector partner undertakes.
- Partnerships with the private sector are less appropriate in the provision of social services, particularly those that deal with difficult or marginalized clients
- Partnerships for service provision and infrastructure development should only be undertaken with businesses that have:
 - demonstrated financial and managerial capacity
 - experience with similar projects,
 - proposed a cost effective project
 - demonstrated commitment to finding a solution that will benefit all parties
 - demonstrated understanding of the government's needs
 - proposed a the legal project
 - proposed a viable project
 - demonstrated compliance with other agreements and regulations.
- The federal government should support any partnerships with businesses for environmental improvement, where the governments support will be cost effective.
- The only partnerships that the federal government should consider undertaking with the private sector for monitoring and auditing should be with accredited auditing and accounting bodies which focus on environmental, social or sustainability issues, and in which the auditing process is transparent and verifiable.
- The federal government should invite the private sector to provide its perspective concerning policy development that will have significant economic impacts.

- In situations where a private sector body has specialized knowledge that may assist in creating the best possible policy it is appropriate for the private sector to play a consultative role in policy development

Concerning partnering within the government:

- In situations where there are common jurisdictions and the potential for common programs, it is advisable for the federal departments to partner and for the federal government to partner with provincial and municipal governments increase efficiency
- Partnerships should be developed where different federal departments, and provincial and municipal governments may have expertise, experience and perspectives that could help the federal government to create more effective policies and programs.

Concerning partnering with other governments:

- Collaborative relationships can be formed with other governments to share experiences in policy and program development and delivery which can inform the federal government's own development and delivery activities
- Joint projects with other governments to undertake research and knowledge development can help increase the capacity of the Federal government in all five realms of partnership projects.
- It can be appropriate to develop joint policies with other national governments, through collaboration, in order to achieve harmonized standards, or trans-national goals.
- The federal government may enter into agreements with other national governments for the achievement of joint goals
- The federal government should not seek partnership with other national governments with the purpose implementing governance within Canada

Concerning structuring partnerships

- The federal government should only enter into and support partnerships that demonstrate the ten qualities of successful partnerships

These general recommendations lay the basic ground rules that should guide federal partnering behaviour. They are not, however, specific enough to support a full governance structure that relies partially on partnerships. From this basic set of ground rules, each federal department should go on to develop clear policies stating exactly which of their aims they will seek to achieve by employing partnerships, what types of organizations will be considered for partnering, how they will be selected, how the partnerships will be structured, and how the risks of partnering will be mitigated and accountability insured, who within the department will oversee the partnership, and how achievements will be measured and non-achievements dealt with. They should also state in which contexts the government will support partnerships between outside bodies, such as NGO-NGO partnerships, or NGO-Business partnerships, what the form of support will be, and how all of the above concerns will be addressed. The policy developed by Environment Canada concerning Environmental Protection Agreements (Environment Canada 2003) provides a good example of such a policy. These policies should be very

context specific, and should “facilitate systematic thinking about the implications of different arrangements, and help to identify success factors and to manage constraints and risks” (Rodal and Mulder 1993: 13).

While not necessary, the federal government would be wise to create a partnership knowledge network to serve as a forum for the exchange of ideas and experiences with partnerships. This could not only facilitate the development of departmental partnership policies, but could also enhance partnering capacity in the long term. Rodal and Mulder (1993: 42) describe the objectives that such a network could have. They could be

- “to explore and communicate the benefits of partnerships arrangements for policy development and service delivery
- to foster interdepartmental cooperation and collaboration in the development and management of partnerships
- to assist in the identification and resolution of opportunities and problems with respect to partnerships
- to provide a sounding board for the discussion, review and refinement of ideas and information regarding partnerships; and to share expertise, resources and costs of investing in development of partnership mechanisms and support tools
- to share expertise, resources and costs of investing in development of partnership mechanisms and support tools...
- to establish a best practices clearing house or reference tool and elaborate principles or guidelines for planning and managing effective partnerships, based on existing and emerging experience in the federal government and other jurisdictions.”

In addition to creating thorough policies and knowledge sharing networks within government, there has been an acknowledgement by many researchers including Langford (1999 and 2002) Delacourt (1999), and Mulgan (1999), that in order to use partnerships effectively, the government needs to shift its culture. This cultural shift may help in creating effective policy and, conversely, appropriate policy may help to bring about such a cultural shift. The shift required, the mechanisms to achieve it, and its relationship to policy development are topics that should be further explored.

Appendix A: Case Studies

Case Study 1: The 1990 Federal Nox/VOC Management Plan

This case study was drawn from the 2000 Report of the Commissioner of the Environment and Sustainable Development

Partners: The federal government, provincial and territorial governments, the Canadian Council of Ministers of the Environment.

Federal Involvement: A main partner

Type of Partnership: Intergovernmental

Type of Collaborative Relationship: Jointly developed partnership for which all members have equal risk, benefit and responsibility. In the initiation phase, it involved consultation with many external stakeholders during the development process.

Partnership Aims: To reduce the emissions of smog precursors nationally through the development of national standards, and provincial and local project implementation.

Level of Achievement: National standards were set, but there was very little action towards the achievement of those standards.

Structural qualities

- The partnership has a solid base of joint commitment and understanding: there was a clearly articulated goal that all partners agreed to.

- ✗ There is a clear and appropriately detailed plan for achieving the goals of the partnership: while there was a general implementation plan, it was not clear as to who was supposed to implement what parts of the plan when.

- Each partner clearly benefits from the partnership: reducing smog was in the interest of all partners.

- ? Sufficient and appropriate resources are committed from all partners for achieving the goals of the partnerships: because the partnership was not implemented, this was unimportant.

- ✗ The partnership has an appropriate level of formality: the agreements between the partners were never formalized, and thus never enforced.

- ? The partnership has good leadership: leadership was not discussed in the report.

- ✗ The partnership has clear and enforceable lines of accountability: because plans were unclear, and the partnership was not formalized, there was not accountability.

- ? Partners communicate in productive and supportive ways: this was not discussed in the report.

- ? There is trust in the function of the partnership: this was not discussed in the report.

- ✗ Accurate and appropriate indicators are used to evaluate and improve the success and progress of the partnership: Though end goals were clearly stated, shorter term objectives, which could have led to project improvement and tracking, were not set

Case Study 2: CIELAP and Fundacion Ambio for Agricultural Improvement in Costa Rica

This case study is drawn from various internal reports of CIELAP

Partners: CIELAP and Fundacion Ambio, two national advocacy NGOs, one in Canada and one in Costa Rica

Federal Involvement: Funded by CIDA

Type of Partnership: Northern and Southern NGO partnership

Type of Collaborative Relationship: Jointly developed partnership for which both members have equal risk, benefit and responsibility

Partnership Aims: To improve agricultural practices in Costa Rica and Canada by creating and enacting policy concerning GMOs, promoting organic agriculture in Costa Rica, and public education about both organic agriculture and GMOs in Canada and Costa Rica.

Level of Achievement: A model policy framework was created, knowledge about GMOs and organic agriculture in both countries was improved. The policy framework was not enacted.

Structural qualities

- The partnership has a solid base of joint commitment and understanding: the partnership's goal was created jointly by both partners and clearly stated
- There is a clear and appropriately detailed plan for achieving the goals of the partnership: The partnership had a step-by-step plan for implementing actions that would lead to achievement of the goal, specifying when and by whom the actions were to be completed.
- Each partner clearly benefits from the partnership: The partnership clearly contributed to the achievement of both partners' mandate
- ✕ Sufficient and appropriate resources are committed from all partners for achieving the goals of the partnerships: the length of time for which resources were committed was not sufficient for achieving the partnership's main goal of policy enactment, and further funding was not found.
- The partnership has an appropriate level of formality: the requirements of CIDA necessitated that the partners create formal agreements, which insured completion of the tasks set out
- The partnership has good leadership: issues of conflict were easily resolved, and all partners felt listened to, supported and motivated.
- The partnership has clear and enforceable lines of accountability: the partnership's plan clearly assigns responsibility for completing activities and managing resources. There are consequences for non-achievement
- Partners communicate in productive and supportive ways: though there was no clear plan of communication, ad-hoc communication adequately addressed the needs of the partnership
- There is trust in the function of the partnership: through iterative interaction in the past, the partners had come to trust one another's abilities
- Accurate and appropriate indicators are used to evaluate and improve the success and progress of the partnership: the indicators established for the project showed real success and helped the partners stay on track

Case Study 3
to be written

Case Study 4
to be written

Case study 5
to be written

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