

Publication status: This preprint has not been published elsewhere.

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<https://doi.org/10.1590/0034-761220250260x>

Submitted on: 2026-06-12

Posted on: 2026-06-12 (version 1)

(YYYY-MM-DD)

## Article

# Diagonal accountability for the control of corruption: citizen oversight initiative in Ecuador

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## ABSTRACT

Latin America has made progress in implementing regulations to include civil society in corruption control. One of these mechanisms of social accountability (SAcc) is the citizen oversight initiative (COI). However, the conditions necessary for its effectiveness beyond legal recognition are not clear in the literature. We argue that COIs and SAcc in general are more effective when they are not over-institutionalized and when horizontal accountability works effectively. This study examines the effects of the institutionalization of COIs and their outcomes through an in-depth qualitative case study of Ecuador. This case is particularly relevant for analyzing COIs as a mechanism of social accountability, given the institutionalization of this type of initiative and the creation of oversight agencies to ensure participatory governance. The qualitative analysis reveals that, while institutionalization makes COIs possible, it may also undermine their capacity to hold the state accountable by multiplying veto points, prolonging procedures, weakening inter-agency coordination, and neutralizing alerts before they result in sanctions. In weak institutional contexts, where

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DOI: <https://doi.org/10.1590/0034-761220250260x>

Submitted on February 02, 2026, and accepted for publication on May 18, 2026.

[Original version]

oversight agencies fail to respond in a timely manner or do not impose adequate sanctions, these mechanisms lose legitimacy and have a limited impact on corruption control. The study thus highlights the paradox of institutionalization.

**Keywords:** citizen oversight initiative, social accountability, corruption, over-institutionalized.

### ***Accountability diagonal para o controle da corrupção: iniciativas de vigilância cidadã no Equador***

#### **RESUMO**

A América Latina tem avançado na implementação de normas para incluir a sociedade civil no controle da corrupção. Um desses mecanismos de prestação de contas social (SAcc) é a iniciativa de fiscalização cidadã (COI). No entanto, as condições necessárias para sua efetividade além do reconhecimento legal não estão claras na literatura. Argumentamos que as COI e a prestação de SAcc em geral são mais eficazes quando não estão sobreinstitucionalizadas e quando a prestação de contas horizontal funciona de forma efetiva. Este estudo examina os efeitos da institucionalização das COI e seus resultados por meio de um estudo de caso qualitativo aprofundado sobre o Equador. Este caso é particularmente relevante para analisar as COI como mecanismo de prestação de contas social, dada a institucionalização desse tipo de iniciativa e a criação de organismos de controle para garantir uma governança participativa. A análise qualitativa revela que, embora a institucionalização torne as COI possíveis, ela também pode minar sua capacidade de responsabilizar o Estado ao multiplicar pontos de veto, prolongar procedimentos, enfraquecer a coordenação interinstitucional e neutralizar alertas antes que se traduzam em sanções. Em contextos institucionais frágeis, onde os organismos de controle não respondem em tempo hábil ou não impõem sanções adequadas, esses mecanismos perdem legitimidade e têm impacto limitado no controle da corrupção. O estudo destaca assim o paradoxo da institucionalização.

**Palavras-chave:** iniciativa de fiscalização cidadã, prestação de contas social, corrupção, sobreinstitucionalização.

## **Rendición de cuentas diagonal para el control de la corrupción: veedurías ciudadanas en Ecuador**

### **RESUMEN**

América Latina ha avanzado en la implementación de normas para incluir a la sociedad civil en el control de la corrupción. Uno de estos mecanismos de rendición de cuentas social (SAcc) es la iniciativa de veeduría ciudadana (COI). Sin embargo, las condiciones necesarias para su efectividad más allá del reconocimiento legal no están claras en la literatura. Sostenemos que las COI y la rendición de cuentas social en general son más efectivas cuando no están sobreinstitucionalizadas y cuando la rendición de cuentas horizontal funciona de manera efectiva. Este estudio examina los efectos de la institucionalización de las COI y sus resultados a través de un estudio de caso cualitativo en profundidad sobre Ecuador. Este caso es particularmente relevante para analizar las COI como mecanismo de SAcc, dada la institucionalización de este tipo de iniciativa y la creación de organismos de control para garantizar una gobernanza participativa. El análisis cualitativo revela que, si bien la institucionalización hace posible las COI, también puede socavar su capacidad de exigir responsabilidades al Estado al multiplicar los puntos de veto, prolongar los procedimientos, debilitar la coordinación interinstitucional y neutralizar las alertas antes de que se traduzcan en sanciones. En contextos institucionales débiles, donde los organismos de control no responden oportunamente o no imponen sanciones adecuadas, estos mecanismos pierden legitimidad y tienen un impacto limitado en el control de la corrupción. El estudio pone así de relieve la paradoja de la institucionalización.

**Palabras clave:** veeduría ciudadana, rendición de cuentas social, corrupción, sobreinstitucionalización.

### **1. INTRODUCTION**

Although efforts to reduce corruption through classic vertical and horizontal accountability have had some success, they have also been recognized as having limitations (Gaventa & McGee, 2013; Kuppens, 2016; Malena et al., 2004). More recent innovations have focused on social accountability (SAcc) initiatives to strengthen mechanisms based on the

institutional anti-corruption framework. This has been the case in Latin America, where the implementation of norms aimed at including civil society in the control of corruption has advanced in recent years (Alcántara-Lizárraga & Jima-González, 2022; Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption, 2015). SAcc complements classical accountability by enabling society to sound the alarm, thereby helping to deter corruption and improve public service (Ackerman, 2005; Laebens & Lührmann, 2021; Lührmann et al, 2020).

For example, a *citizen oversight initiative* (COI), also known as ‘social audit’ or *veeduría* in Spanish, has the potential to be a SAcc mechanism that enables citizens to monitor public administration and activate horizontal accountability institutions (Goetz & Jenkins, 2001; Grandvoinnet et al., 2015; Lührmann et al., 2020; Rich & Zhang, 2015). Participatory governance requires not only the activation of civil society, but also the mobilization of the State (Neaera & Keck, 2009). Yet their outcomes depend on how state and societal actors are articulated, since weak state mobilization, co-opted participation, and limited citizen autonomy can prevent these mechanisms from producing sanctions (Fox, 2015; Freidenberg & Pachano, 2016; Joshi, 2017; Joshi & Houtzager, 2012; O’Meally, 2013; Torres & Jara-Iñiguez, 2021). While political context matters, institutional design is equally important because it shapes whether these mechanisms enable accountability or instead constrain social action and weaken outcomes (Dasgupta & Williams, 2023).

Yet it remains unclear why formally institutionalized mechanisms of social accountability so often fail to produce timely investigations and sanctions. This article argues that COI and SAcc in general have a positive impact on corruption control when SAcc is not over-institutionalized and horizontal accountability works. Institutionalization is necessary for the existence of COI, but the established framework can undermine its main objective: holding the state accountable. If control agencies do not respond promptly to COI alarms and do not sanction accordingly, this mechanism loses legitimacy. Over-institutionalization is understood here as a condition in which the accumulation of formal rules, actors, and procedural steps ceases to strengthen oversight and instead dilutes responsibility, delays institutional responses, and weakens the system’s capacity to produce enforcement outcomes (Ackerman, 2005; Fox, 2015; O’Donnell, 2004). Under these conditions, each additional

requirement raises the cost of activating the mechanism, while the long and complex route that citizen alerts must follow before receiving a response from oversight agencies erodes their effectiveness. When these institutions fail to respond promptly or do not impose the corresponding sanctions, the mechanism loses legitimacy. Although institutionalization is necessary for the existence of COIs, it may also undermine their core purpose of holding the state accountable.

Ecuador is an interesting case for the analysis of COI as a SAcc mechanism, since it institutionalized this type of initiative and created oversight agencies to ensure participatory governance and social accountability. Despite the expansion of these mechanisms, there is limited systematic information on their sanctioning outcomes, and available evidence suggests that cases in which COI reports lead to criminal sanctions are extremely rare or non-existent. Given this national landscape, the case of Los Capulies in Cuenca, Ecuador, offers a valuable window into the concrete implementation of the mechanism. The in-depth analysis shows that the framework of this mechanism is highly bureaucratic and that control agencies do not have the capacity to hold the State accountable. The path that a plausible case of corruption identified by a COI must follow until a possible sanction is imposed is long and depends on many institutions. Alarms are sounded, but they are heard late and are confronted with the ineffectiveness of the horizontal agencies to investigate and sanction, if necessary, the corrupt actors.

While Ecuador presents a particularly institutionalized model of social accountability, similar challenges have been identified in other Latin American and Global South contexts where participatory oversight mechanisms coexist with weak enforcement capacities. Previous studies on social accountability and institutional coordination suggest that, despite formal institutionalization, limitations in responsiveness, coordination, and sanctioning capacity often constrain their effectiveness (Fox, 2015; Gaventa & McGee, 2013; Joshi, 2017). Recent contributions further emphasize these challenges in contemporary governance contexts and ongoing debates about the effectiveness of social accountability mechanisms (Gaventa, 2023; Guertzovich & Aston, 2023; Osei-Kufuor et al., 2024). Evidence from Colombia, where COIs rarely trigger sanctioning outcomes despite a consolidated legal framework (Cepeda, 2022), and from Brazil, where social observatories operate largely at a

pre-systemic stage of accountability in which interactions with institutional control agencies remain sporadic and dependent on personal rather than institutional relationships (Schommer et al., 2015), suggests that Ecuador illustrates a broader regional pattern rather than an exceptional case. What distinguishes Ecuador is not the existence of these constraints, but the degree to which they are embedded in the institutional design itself and its results.

SAcc has previously been recognized as a fundamental safeguard of democracy (Alcántara-Lizárraga & Jima-González, 2022; Laebens & Lührmann, 2021). However, this study shows that its effectiveness depends critically on the institutional design that sustains it. Until now, the literature on anti-corruption frameworks has focused primarily on implementation failures as the explanation for the gap between design and results. This study advances that discussion by showing that part of the problem originates in over-institutionalization. The configuration of mechanisms can ensure that they rarely produce effective consequences. This is particularly problematic in an anti-corruption system that is typically evaluated through normative compliance indicators. Against this backdrop, this study demonstrates that good governance is not achieved through the mere institutional recognition of diagonal accountability, but through the effective functioning of the entire chain that sustains it.

This paper is structured as follows. Following the introduction, the paper provides a review of the literature on classic accountability mechanisms, emphasizing the role of diagonal accountability in bridging the vertical–horizontal gap. The methodological section outlines the case study approach, focusing on the COI of Los Capulies social housing project in Cuenca, Ecuador. The subsequent sections present an in-depth analysis of this case, highlighting the bureaucratization and inefficiencies that hinder effective accountability and sanctioning. Building on this analysis, a further section reconstructs the mechanisms linking the over-institutionalization of the COI to sanction failure, identifying the sequential and compounding features of the institutional design that systematically prevent citizen alerts from translating into enforcement outcomes. Finally, the paper concludes by discussing the implications of these findings, proposing potential reforms to enhance the effectiveness of social accountability mechanisms in combating corruption, and suggesting avenues for future research.

## 2. CLASSIC VERTICAL AND HORIZONTAL ACCOUNTABILITY

Accountability is a long-standing term that has evolved over the years (Bovens, 2007; Hood, 1991; Peruzzotti & Smulovitz, 2006). According to Ackerman (2005, p. 3), in its most literal sense, accountability means “little more than the 'ability' or the 'possibility' that someone or something can be accounted for”. In other words, minimal efforts to show or share with the public information about the work that has been done (such as the number of houses built or the total amount of money spent by a government during its term of office) could be considered accountability. However, this minimalist conceptualization leaves out important features of accountability such as “compliance” as an element of incentive or effective sanction -the sanction if the action or justification is not satisfactory-; and responsiveness as an element of control -the willingness of those responsible to respond to the demand formulated (Kuppens, 2016). Moreover, accountability requires the possibility of imposing sanctions or offering rewards to an agent for (in)actions (Brinkerhoff, 2001; Schedler, 1999). Sanctions are a defining feature of accountability and allow restricting delegated power (Joshi & Houtzager, 2012).

Public officials can and should be held accountable so that they obey the law and do not abuse their powers, and serve the public interest efficiently and fairly (Malena et al., 2004). However, it is unlikely that an official will voluntarily provide information about actions that could lead to sanctions. He or she may only have to provide such information because he or she is obliged to do so, and even the information provided could be altered (to conceal the commission of a corrupt act).

For Schedler (1999), an efficient flow of information among the members of a given institution is not enough; an observer must come in from outside. In addition, Mulgan (2000) also stresses that observers must have higher authority and thus the ability to impose sanctions. On the other hand, Ackerman (2005) explains that accountability does not need to be in the hands of an “outsider”, nor be enforced by actors of “higher authority”, but public officials should take the initiative to be accountable, rather than waiting for a third party to ask for information.

Around this debate, scholars group these two perspectives into vertical and horizontal accountability (Bovens, 2007; Goetz & Gaventa, 2001; Kuppens, 2016; Schatz, 2013). Vertical accountability, often labelled as “external” accountability, involves the mechanisms through which public officials are held accountable. This can include both electoral systems and SAcc (O’Donnell, 1999). Vertical accountability operates through two primary approaches: top-down and bottom-up. “Top-down strategies include building mechanisms, legislation, and capacity within state institutions. Bottom-up strategies maintain extra-institutional pressure to create political will, support honest power-holders, back genuine reform efforts, and creatively disrupt the corrupt status quo” (Beyerle, 2014, p. 245).

Traditionally, efforts to improve accountability have focused on the top-down vertical mechanisms. However, classic top-down accountability was found to be insufficient, especially where corruption was systemic. The argument is that if corrupt politicians are in charge of setting an anti-corruption agenda, it is more likely that they will not act against their own interests (Schatz, 2013). For that reason, “horizontal accountability” entered the debate. Sometimes called “internal” accountability, it refers to accountability within the public administration and between different public agencies and government branches (O’Donnell, 1999). This type of accountability seeks to have independent institutions control one another (e.g., “checks and balances”). As they tend to act reactively and intermittently in the face of alleged transgressions by other state institutions, have partisan conflicts, and fail to respond to the complexity of state agencies, new initiatives to control corruption have emerged in the form of accountability-friendly institutions such as anti-corruption agencies or ombudsman offices (O’Donnell, 2004).

While efforts to reduce corruption through classic vertical and horizontal accountability have had some success, their limitations are also well-recognized (Gaventa & McGee, 2013; Kuppens, 2016; Malena et al., 2004). To date, efforts to correct the problems of horizontal and vertical accountability have been carried out independently. The focus has been on improving the effectiveness of each axis, based on a clearly delineated division of labor between the two (Goetz & Jenkins, 2001). In addition, most of the existing research on accountability is conceptual and focuses on the meaning of the term itself (Reddick et al., 2020). As a contribution to this literature, this study argues that a hybrid form of

accountability helps reduce the vertical-horizontal gap and supports the effectiveness of social accountability. Hybrid, or diagonal, forms of democratic control can be useful in preventing and detecting abuse of power by public officials because they ensure oversight at different levels and also the presence of citizens in the horizontal process of government control. As elaborated below, achieving this kind of accountability depends on coordination with control agencies capable of enforcing the accountability process.

### **3. THE INSTITUTIONALIZATION PARADOX IN SACC**

COI is a SAcc mechanism that allows citizens to exercise their rights of participation, monitoring, supervision, and control of the public sector, before, during, or after the implementation of a project (Goetz & Jenkins, 2001; Grandvoinnet et al., 2015; Rich & Zhang, 2015). Due to the breadth of government action, it is practically impossible (for oversight institutions) to “supervise” the entire operation. On the other hand, citizen participation through COI can reach virtually everywhere. Still, COI cannot carry out official investigations, prosecute, or imprison corrupt officials. Therefore, it is necessary to complement top-down 'police patrol' oversight strategies with bottom-up 'fire alarm' mechanisms (Ackerman, 2005). This “complementary” feature of mechanisms such as COI not only works to detect corruption, but also to prevent it.

In other words, COI (vertical accountability) needs to “raise the alarm” when irregularities are detected so that the control agency (horizontal accountability) can investigate and sanction such irregularities. Horizontal agencies must ensure that such irregularities are investigated and, if necessary, appropriately sanctioned (Ackerman, 2005; Malena et al., 2004; Peruzzotti & Smulovitz, 2002, 2006). For this diagonal accountability to function effectively, it is required that a specific state agency be legally authorized and willing to act, as well as a network of state agencies that respect the maintenance of this exercise. This requires a system where there are legal rules and institutions committed to their enforcement (O'Donnell, 2004).

Since civil society cannot impose sanctions directly, its oversight capacity operates indirectly by making irregularities visible, sounding alarms, and pressuring the state to act

(Schatz, 2013). In theory, horizontal accountability agencies are responsible for investigating and sanctioning reported acts of corruption (Bovens, 2007; Schedler et al., 1999). Institutionalizing SAcc can strengthen this connection between citizens and oversight mechanisms. In turn, this may enhance the legitimacy of democratic states by fostering an environment of accountability, transparency, and openness in the communities they serve (Alcántara-Lizárraga & Jima-González, 2022; Herbert, 2006; Laebens & Lührmann, 2021). Although Goetz and Jenkins (2001) argue that these outcomes are more likely when participatory mechanisms are legally recognized, formal institutionalization alone does not guarantee that participation in oversight will remain autonomous or lead to effective monitoring and sanctioning for non-compliance.

Moreover, institutionalization, under certain contexts, could undermine that connection rather than enabling it. This study argues that over-institutionalization, understood as the excessive proliferation of actors and agencies with overlapping functions but insufficient capacity to fulfil them, dilutes institutional responsibility and slows down the process of horizontal accountability precisely at the point where citizen alerts should trigger state action (Ackerman, 2005). The result is a mechanism that fulfils its procedural obligations while systematically failing in its substantive purpose.

Recent institutionalist and anti-corruption scholarship helps to clarify why over-institutionalization may weaken, rather than strengthen, social accountability mechanisms. The issue is not simply the existence of more organizations, but the formal and informal rules that structure their interaction. Therefore, over-institutionalization refers to a condition in which the proliferation of actors, rules, and procedural steps exceeds the system's effective coordination capacity. This insight is reinforced by scholarship on the gap between formal and effective institutions, which shows that dense legal frameworks may coexist with weak implementation and limited enforcement (Gutmann & Voigt, 2020; Mungiu-Pippidi, 2022; Mungiu-Pippidi & Dadašov, 2017).

From this perspective, the problem is not the absence of citizen voice, but an institutional design that fails to connect that voice to authorities both willing and able to act. As Peixoto and Fox (2016) argue, citizen monitoring generates accountability only when information is effectively linked to a state response. More broadly, anti-corruption tools have

no intrinsic value, since their effectiveness depends on the institutional context, the rule of law, and the implementation capacity in which they operate (Mungiu-Pippidi, 2022; Pyman & Heywood, 2024). In this sense, over-institutionalization captures a paradox because mechanisms created to strengthen oversight may instead fragment responsibility, prolong procedures, and weaken the translation of citizen alerts into sanctioning outcomes.

Therefore, the mere existence of a COI and an anti-corruption framework does not necessarily reflect the practical effectiveness of these social accountability initiatives. The state's sanctioning capacity, together with the credible threat that sanctions will be applied in a timely manner, constitutes a *sine qua non* condition of accountability. In this context, if the path to sanction involves too many intermediaries, is excessively long, and ultimately fails to produce sanctions, there is no effective accountability. The fight against corruption requires the institutionalization of diagonal accountability mechanisms, but a framework that multiplies institutional layers and delays procedures ultimately frustrates that purpose.

The effectiveness of social accountability mechanisms cannot be assessed solely on the basis of their recognition within the constitutional framework. The mere existence of an institutional framework for COIs does not guarantee that participation in oversight actions will remain autonomous or lead to effective monitoring and sanctioning for non-compliance. For diagonal accountability to function, there must be a functional relationship between citizen complaints and the coercive capacity of the state. This relationship must ensure that institutional action is set in motion when irregularities are identified. When that relationship fails, institutionalization produces a façade of legitimacy. It is precisely for this reason that political actors can display formal commitment to participatory oversight while the institutional design ensures that such oversight rarely produces consequences.

This finding is consistent with what Mungiu-Pippidi and Dadašov (2017) identify as an implementation gap in anti-corruption frameworks, whereby more comprehensive formal architectures do not necessarily produce lower levels of corruption. At the same time, this study advances the literature by demonstrating that the problem does not lie solely in a downstream implementation failure, but is also embedded in the institutional design itself. It is at the design stage that the conditions are generated (through the multiplication of veto points, the duplication of investigative functions, and the absence of clear accountability for

outcomes) that systematically limit the capacity of citizen participation mechanisms to improve their effectiveness in overseeing public management and in preventing and detecting corruption.

#### 4. METHODOLOGICAL NOTES

Based on an in-depth analysis of the Ecuadorian case, this article identifies the intervening mechanisms that link the institutional design of COIs to sanction failure. Ecuador provides a compelling case study because of its innovative SAcc and anti-corruption framework, which facilitates citizen participation in public sector oversight. COIs, like other SAcc mechanisms, are guaranteed by the Constitution (Articles 61, 85, 95, 96, and 100)<sup>1</sup>. Yet the study shows that these mechanisms can become ineffective tools for corruption control and prevention when oversight agencies are highly bureaucratic and/or lack the capacity to respond to citizen alerts.

The Ecuadorian case is relevant because of its institutional framework and the distinctive configuration of its citizen participation mechanisms in comparative regional terms. Even though Latin American countries like Brazil have social observatories (Krakowiak & Seixas, 2025; Schommer et al., 2015), these institutions differ from COIs. On the one hand, observatories—which also exist in Ecuador—are social accountability organizations that monitor sectors or policies on an ongoing basis, addressing multiple issues over time. COIs, on the other hand, are constructed around specific objectives, usually with short-term expectations, requiring fewer resources and less sustained effort. In the region, mechanisms similar to COIs typically operate at the local level, without constitutional recognition and as purely citizen-driven initiatives, lacking a dedicated legal framework.

The academic evidence on their effectiveness remains scarce, with rigorous studies confined to a small number of specific cases—such as citizen monitoring of public works in Peru (Pierri & Lafuente, 2020)—and producing mixed results. The main exceptions are Ecuador and Colombia, with the latter being the first country in the region to enshrine COIs

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<sup>1</sup> Furthermore, they are also guaranteed by the Organic Law of Citizen Participation, the Organic Law of the CPCCS, the COOTAD and the General Regulation of Citizen.

in its Constitution (Gutiérrez, 2023). Colombia has a decentralized framework that gives COIs the freedom to decide which public institution—local or national—serves as the bridge between citizens and the state (Gutiérrez, 2021). As a result, Colombian COIs have been able to strengthen accountability and risk detection (Vega-Rocha et al., 2025), though they face considerable difficulties in securing resolution of demands at the institutional level (Cepeda, 2022). Ecuador, as will be presented below, operates under a far more centralized framework, which produces a distinctive set of outcomes examined in this study.

The 2008 Constitution created a new branch of government in Ecuador: The Transparency and Social Control Function (FTCS). This “fifth power” promotes citizen participation, social accountability, and corruption prevention. Within this framework, the Citizen Participation and Social Oversight Council (CPCCS) was created. The CPCCS has no equivalent in any other country in the region. According to Article 208 of the Constitution, the CPCCS supports COIs that request its assistance (Resolution No. PLE-CPCCS-388-22-11-2016, 2016b).

While it is not possible to draw general conclusions from the results of diagonal accountability in the country, it is feasible to identify the ineffectiveness of the mechanism based on the analysis of in-depth cases. For this research, the COI of housing adjudication in the Los Capulies social housing project in Cuenca, Ecuador, is selected. Social housing is an area susceptible to corruption, especially in Ecuador, which has a historical housing deficit (Mustillo, 2016; Rose-Ackerman, 1999). This deficit has classified housing as both a strategic requirement of governments and a necessary political offer. Consequently, there is a risk that it may be exploited for clientelist practices. Therefore, a COI in this area could be effective in preventing corruption.

Specifically, the COI analyzed was promoted by a Cuenca councilwoman with the support of the CPCCS to supervise the process of awarding social housing. The process was managed by a municipal institution in charge of social housing in Cuenca, EMUVI-EP. This oversight was considered useful for several reasons. First, there were detailed reports of the activities carried out by the COI. Second, both the *citizen observers* and the CPCCS considered that the COI had achieved its objectives. Thus, this case was considered useful for this research, as it would allow the potential role of “successful COI” to be examined.

For this study, eight semi-structured interviews were conducted. Participants were selected through intentional non-probability sampling, based on criteria of experience, analytical relevance, and availability. Priority was given to the direct participation of citizen observers involved in the case under analysis, as well as to individuals with experience in accompanying and studying diagonal accountability mechanisms in Ecuador. The interviewee profile comprised three categories: CPCCS technical staff with more than five years of experience supporting social accountability mechanisms; citizen observers who participated in the Los Capulies COI; and experts in citizen participation and social control. Prior to each interview, the research objectives were explained, and informed consent was obtained from each participant, guaranteeing their anonymity and the exclusive academic use of the information provided.

Interviews lasted an average of between 45 and 60 minutes and were conducted either in person or virtually, according to each participant's availability. With express authorization, they were audio-recorded and transcribed in full for analysis. The interview guide was structured around the analytical categories of the study, structured into five thematic dimensions: (1) the sequential duplication of investigative functions, to identify how the CPCCS, the Comptroller's Office, and the Attorney General's Office interact in the processing of citizen alerts; (2) cumulative procedural delay, aimed at reconstructing the deadlines, delays, and effective timeframes of the process; (3) informational disconnection among actors, focused on the feedback mechanisms between the institutions involved and the citizens who activated the mechanism; (4) the early neutralization of alerts, directed at examining how certain irregularities may be reclassified or excluded before their formal referral to the competent agencies; and (5) the sanctioning outcomes of the mechanism, aimed at establishing whether citizen alerts resulted in substantive investigation, effective activation of control agencies, and eventual sanction.

Data analysis followed a two-stage thematic coding strategy. In the first, deductive stage, a preliminary coding framework was developed from the theoretical literature and the analytical argument of the study. This initial framework was organized around the five categories outlined above, which guided both the structure of the interview guide and the initial reading of the transcripts. In the second, inductive stage, the interviews were

systematically reviewed to identify emergent codes not anticipated by the initial framework. These included references to formal defects in institutional resolutions, the absence of institutional feedback to citizen observers, the reclassification of irregularities as good-faith errors, and the filing and closure of case records without substantive examination. These codes were subsequently grouped through constant comparison into higher-order analytical categories, with the aim of reconstructing the causal mechanisms linking the over-institutionalized design of the COI to the absence of sanctioning outcomes.

To ensure the validity and reliability of the analysis, a source triangulation strategy was applied, combining primary data from the interviews with secondary sources. These included academic studies, policy reports, and legislation, specifically the Organic Law on Citizen Participation, the Organic Law of the CPCCS, the COOTAD and its General Regulation, as well as official documents and media reports. This triangulation allowed the perceptions of interviewees to be systematically contrasted against available documentary evidence, reducing the risk of biases associated with exclusive reliance on interview-based accounts.

The data sources and participants are summarized below:

**Table 1. Interviewed Actors**

Type of Actor	Profile	Date	Modality	Code
Municipal representative	Official involved in the Los Capulies adjudication process	Dec 1, 2016	In-person	E1
CPCCS technician	Expert in social accountability mechanisms, more than 5 years of experience	Dec 9, 2016	Virtual	E2
Citizen observers	COI Los Capulies member	Dec 7, 2016	In-person	E3
Citizen observers	COI Los Capulies member	Dec 8, 2016	In-person	E4
EMUVI-EP representative	Official responsible for the housing adjudication process	Dec 8, 2016	Virtual	E5
Citizen observers	COI Los Capulies member	Dec 7, 2016	In-person	E6
Citizen observers	COI Los Capulies member	Dec 7, 2016	In-person	E7

Expert	Specialist in citizen participation, social accountability, and governance	Dec. 9, 2016	Virtual	E8
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Source: Elaborated by the authors.

**Table 2. Data Sources**

Type	Description
Legislation	Resolution No. PLE-CPCCS-388-22-11-2016 (2016b); Comprehensive Organic Penal Code (COIP, 2014); Organic Law of CPCCS; Organic Law of Citizen Participation; COOTAD
Official documents	Final report COI Los Capulies (2016); Meeting minutes; Aide-mémoire April 7, 2016; Resolution No. PLE-CPCCS-375-16-11-2016 (2016a)
Survey data	Cuenca Quality of Life Survey (2016), NGO Cuenca Ciudad Para Vivir
Academic literature	Studies on diagonal accountability, citizen participation, and governance

Source: Elaborated by the authors.

## **5. OVERSIGHT WITHOUT SANCTIONS? CITIZEN MONITORING AND INSTITUTIONAL CONSTRAINTS IN ECUADOR**

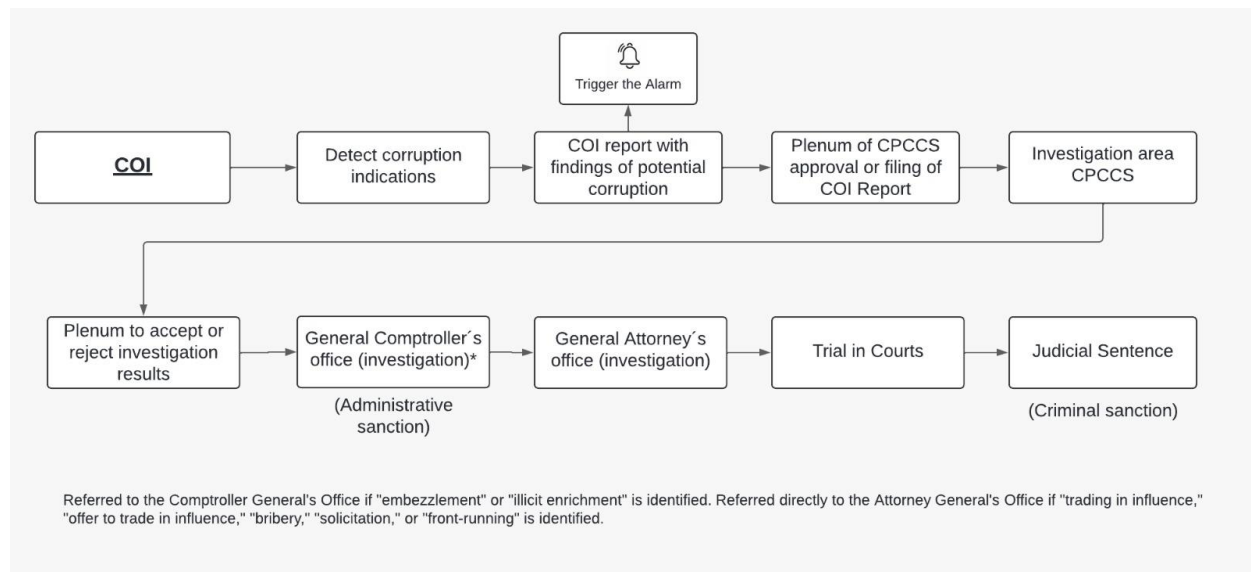
This section analyzes the institutional limitations of citizen oversight initiatives in Ecuador through the case of the COI of housing adjudication in the Los Capulies social housing project in Cuenca. First, it examines the institutional pathway that a complaint follows from citizen oversight to the imposition of sanctions, highlighting the duplication of functions and bureaucratic delays involved in the process. Second, it studies the composition and operation of the COI, emphasizing the relationships among citizens, the CPCCS, and the monitored public entity. Finally, it analyzes the red flags and irregularities identified during the implementation of the process, as well as the limitations that hinder the effective activation of accountability mechanisms.

### **5.1. The path to sanctions in Ecuador**

As stated above, the CPCCS supports COIs that request its assistance. To do so, COIs must follow an institutional process from registration to final report (Resolution No. PLE-CPCCS-388-22-11-2016, 2016b). Under this procedure, and as shown in Figure 1, once a COI finds signs of corruption, its members have to file a report denouncing what happened to the CPCCS. This report has to be presented to the highest level of governance of the CPCCS: the Plenum, which is composed of 7 councilors. The CPCCS plenum must familiarize itself with the COI report and, if approved, forward it to the Investigation section to carry out the respective investigation, in search of possible indications of acts of corruption.

Once the investigation section has carried out its work, if the necessary elements are found, it will present its report with recommendations to the CPCCS plenum, which may approve or close the case. If approved, it will be sent to the Comptroller's office or the Attorney General's office, depending on the potential offence found. If it goes to the Comptroller's office, the case will be investigated again without counting on the elements and evidence collected by the CPCCS in its investigation. If the Comptroller's office finds infractions, it may impose an administrative sanction and, if there are criminal responsibilities, it will refer the case to the Attorney General's office, which will, once again, carry out the respective investigation of the case. If it, too, finds sufficient evidence of a crime, it will prosecute the case to seek a sanction.

**Figure 1. The path to sanctions sources: author's own formulation based on the COI Regulation**



Source: Resolution No. PLE-CPCCS-388-22-11-2016 (2016b) and COIP (2014).

Considering the maximum investigation periods, a complaint arising from an oversight report could take more than 9 years to reach a verdict. The institutionalization of this SAcc mechanism duplicated functions, assigning investigative powers to the CPCCS, which, as demonstrated below, does not comply with the established deadlines and delays the imposition of a sanction. The CPCCS's monitoring function may favor public recognition of the agency and access to information, but the bureaucratic procedure that is established limits one of the objectives of the COI: the control of corruption.

## 5.2. A State-driven oversight initiative, but with independent citizens

The COI of Los Capulies is part of a bigger project led by former Mayor Marcelo Cabrera, who promised in his campaign to build 5,000 houses during his term. Fulfilling the electoral promise, Councillor Carolina Martinez, president of the Housing Commission of the Municipal Council of Cuenca, had to audit the management of public resources used in the municipality, especially for housing projects. Councilor Martinez sent an invitation addressed to different civil society actors to attend a public event. At this event, EMUVI-EP

presented the Los Capulies project to the public (Personal Interview 1, December 1, 2016; Personal Interview 2, December 9, 2016).

Subsequently, Martinez and representatives from the CPCCS held a meeting in order to analyse which SAcc mechanism would be most suitable for a transparent housing allocation process; it was concluded that a COI was the best option due to the characteristics and length of the process (five months). Thus, invitations were sent to different “illustrious” citizens of different social organizations to be part of the SAcc initiative. Moreover, an invitation was sent to the Faculty of Architecture at the University of Cuenca, aiming to secure representatives with technical knowledge regarding social housing (Personal Interview 3, December 7, 2016; Personal Interview 2, December 9, 2016).

Although the initiative of creating a COI came from Councillor Martinez, it was always the intention that the COI be formed and led by independent citizens. During the fieldwork and the interviews held with the *citizen observers*, we sought to determine if there was any connection between them and the municipality, and enquired into their motives for joining the COI. We found no reason to think that the COI was co-opted by the State. Additionally, all four *citizen observers* declared that, after the first meeting, there was no relationship whatsoever with the councillor again, and the minutes of the meeting also support this statement.

According to a technician and expert on social oversight from the CPCCS in the province of Azuay, the municipality did not make an open call because the objective was to ensure citizen participation. When an open invitation is made to people to create a COI, it is unlikely that citizens will register, due to a lack of interest (Personal Interview 2, December 9, 2016). A survey carried out in the city of Cuenca in 2016 by the NGO *Cuenca Ciudad Para Vivir* shows that 88% of citizens surveyed had never participated in the decisions of the municipality.<sup>2</sup> Of this 88%, 30% claimed that their lack of participation was due to lack of time, 18% due to lack of interest, 12% claimed they do not participate because they do not feel heard, 20% had either no proposals or did not know how to participate, 6% claimed they did not know when to participate and another 6% thought that participating is useless. 5%

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<sup>2</sup> The 88% figure in Cuenca is similar to the national level, where 86.2% of Ecuadorians stated that they had not participate in a municipal meeting during the last year, according to a LAPOP report (2016).

said they were not used to participating, so they did not do so, and the remaining 3% cited other reasons (*Calidad de Vida Cuenca* survey, 2016).

The COI of the Los Capulies project started with seven *citizen observers*. However, only four of them finished the whole process. The other three *citizen observers* withdrew from the monitoring initiative, stating ‘personal reasons’ (Berrazueta’s CPCCS Report, 2016). Although it was the first time these four *citizen observers* acted in a COI, most of them worked in other types of citizen participation initiatives. For example, two worked with different NGOs in Cuenca, and one was the president of his neighborhood, “La Alborada”. Although for another *observer* this was his first experience with a SAcc mechanism, he had previously worked in the Cuenca City Council. Therefore, the *citizen observers* had the necessary experience to lead the initiative.

When the COI for the Los Capulies process was properly accredited by the CPCCS and the *citizen observers* received their official credentials, a press conference was held to inform the public that the SAcc initiative was starting (Radio Complice FM, 2015). This press conference was convened by the CPCCS as part of its institutional support. Moreover, the CPCCS arranged a tripartite meeting between representatives of EMUVI-EP, the CPCCS, and the COI. The meeting’s purpose was to introduce both parties and explain the objective and role of the COI in monitoring the housing allocation. As this was the first time the EMUVI-EP was monitored by a citizen-based initiative, they were not aware of what they were supposed to do.

During this meeting, two key events happened. First, the manager of EMUVI-EP agreed not only to give the COI all the required information, but also to ask them not to wait to finish the COI before stating any problems. In this way, problems could be fixed as soon as possible, to the benefit of the allocation process. Second, EMUVI-EP agreed to run a training for the *citizen observers*, where information about the ‘Los Capulies’ project could be explained to them, including the regulations and manual for adjudication. According to the coordinator of the COI, these actions showed the *citizen observers* that the manager was sending positive messages regarding the willingness of EMUVI-EP to collaborate with the COI (Personal Interview 4, December 8, 2016). Moreover, another *observer* stated that “the manager directly assigned one official to help us with our information requirements, which

facilitated the whole process” (Personal Interview 3, December 7, 2016). This person worked as the Marketing and Sales Executive at EMUVI-EP. But what are the incentives for a public authority to cooperate with a citizen-based monitoring initiative? “There are many people who doubt [the process], for me, having a COI has been a very wise decision to demonstrate the transparency of the processes we carry out” (Personal Interview 5, December 8, 2016). Therefore, it is inferred that EMUVI-EP saw in the COI an opportunity to legitimize its actions.

This was the first COI carried out with EMUVI-EP, so, according to the CPCCS expert, EMUVI-EP officials were concerned about the implications (Personal Interview 2, December 9, 2016). After the concerns were overcome, EMUVI-EP officials were helpful and open to supporting the COI with their work. Nonetheless, both observers and those consulted by EMUVI-EP (Personal Interview 1, December 2016; Personal Interview 3, December 8, 2016) stated that all the information given had to be previously approved by the general manager of EMUVI-EP. Moreover, the required information had to be requested by the COI through an official request. This may have slowed down the work of the COI or could represent an opportunity for any given authority to influence the information.

Another piece of qualitative information that should be noted was the good relationship (as indicated by *citizen observers*, the representative of EMUVI-EP, and CPCCS officials) between the observers and the entity observed. This may have been a positive factor in the development of the COI. Nevertheless, this relationship could also have influenced the final result of the initiative. The CPCCS-Azuay technician, who was in charge of following up the COI, said that, in his opinion, “the observers could have been less kind and more critical in their observations” of the process overseen (Personal Interview 2, December 9, 2016).

### **5.3. Red flags during implementation**

Although the interviews with the main actors involved in the COI highlighted that the monitoring process flowed smoothly, there are critical moments that the *citizen observers* flagged up, but that were also minimized. The first piece of information the *citizen observers*

received from EMUVI-EP was related to the housing project and to the adjudication process. Due to the number of applications (663), the COI agreed to revise 10% of those. The applications were randomly selected. According to the coordinator of the COI, some applications were found to be incomplete. For instance, some applications were missing documents and even the applicants' signatures (Personal Interview 4, December 8, 2016).

The COI took a sample of those applications with inconsistencies and started to call the applicants by phone (22 applicants) in order to understand the reasons for the missing documentation. The COI found that incomplete applications were mainly due to the amount of supporting documentation the applicants had to present. Applicants stated that it was difficult to obtain all the documents requested by EMUVI-EP. Another problem cited by the COI was the change in the economic situation of the applicants. The process of awarding houses took over a year, and some applicants' economic reality had changed by the end of the process. This meant that some of them did not have the capacity to take on a loan; therefore, they did not meet one of the requirements to be awarded a house.

Since many applicants did not meet the requirements, EMUVI-EP granted applicants additional time to complete their documentation. Although with the change in housing allocation rules, some applicants submitted supplementary information, the first "red flag" was raised here. After receiving the additional documentation and raising the scores on the different applications, as appropriate, a final list was drawn up with the successful 108 names. Ten additional beneficiaries (there were only 98 houses to be awarded) were included because the award committee of EMUVI-EP considered that some people could turn down their award. This final list was officialized on 27 April, 2016. The order of people selected for a house evidently changed, and "this may have affected some people in the allocation process", raising the first "red flag" (Berrazueta, 2016, p. 33).

The COI acknowledged this and asked for explanations from EMUVI-EP. The municipal company's representative stated during her interview that no one was prejudiced by this process since several applicants withdrew from the contest (Personal Interview 5, December 8, 2016). Despite the change in scores, applicants who were not on the first award list made it to the final list, since they filled in the empty spaces. Nevertheless, the COI stated that, although "apparently" there was no damage or harm to any of the applicants, it was not

“adequate to review the decisions already taken, because it can generate nonconformities or uncertainty in the procedure” (Berrazueta, 2016, p. 33).

The second “flag” was raised when it was found that the archives with the applications were inaccessible. The *citizen observers* wanted to corroborate the information provided by the applicants, which led to the change between the first listing and the definitive list, and to check the documentation in the folders. However, they found that the folders had been archived in the back of a warehouse. The problem was that construction materials for EMUVI-EP’s new office (toilet, washbasins, etc.) were placed in the same warehouse. Therefore, the COI could not access the folders again.

Although the *citizen observers* claimed that no evidence of favoritism was found in the allocations, the COI made observations about this part of the process. The COI indicated in their report – and in their interviews – that putting the folders in the warehouse was a mere mistake and not an act of bad faith. Hence, they did not see this issue as a transparency problem. Nevertheless, it is important to state that if an institution is to be held accountable, the whole process must be transparent and all information from the process must be made available.

The third “red flag” is raised with another important piece of information found in a COI aide-memoire from the April 7, 2016, meeting. In one of the telephones of an *observer*, the interviewee remarked that he was asked for US\$3,000 by EMUVI-EP. For this reason, the COI met with EMUVI-EP’s lawyer, where they denounced this case (Personal Interview 6, December 7, 2016). Nonetheless, this case was not officially reported to the control agency, nor was it included in the COI final report. The *COI* agreed that this was an isolated case because no other interviewee claimed anything similar. In addition, an attempt was made to contact this person again, but he did not answer the calls (Personal Interview 6, December 7, 2016). The *citizen observers* took the view that this was an “isolated case” and was not worth reporting to the control agency. The competence that the COI has to define different actions as mere “isolated cases” or as errors “in good faith” could undermine the very objective of COIs in terms of holding the State accountable. In addition, CPCCS-Azuay was aware of this case. However, their legal framework does not allow the control agency to intervene in the COI, regardless of any alert. Finally, even if the CPCCS wanted to, it does

not have the competency to investigate the case *in officio*, unveiling a structural problem in exerting accountability.

The final report of the COI was presented to the plenum of the CPCCS on November 16, 2016. During the presentation, the counsellors asked the *citizen observers* if they felt that the CPCCS should initiate an investigation to determine if the rights of citizen participation were affected, or if there were possible acts of corruption. The response of the reviewers was that they did not recommend an investigation, as they claimed that problems found in the process were *bona fide* errors. Furthermore, they claimed that the social housing adjudication process was carried out according to EMUVI-EP's plans and in a transparent manner. However, the COI warned of possible anomalies within the adjudication process in their report. Whether or not they could have been more critical of the process, the report included some alerts that the control agency identified and was keen to investigate.

Once the COI presented its findings, the Plenum of the CPCCS approved the report, stating that the adjudication process was transparent. Nevertheless, the Council reconsidered its resolution a week later (22 November, 2016) and decided that the evidence found in the report was enough to send the case to the CPCCS's investigation office. However, more than five months passed between the time the COI submitted its report and the moment the CPCCS revised and approved it. This "late reporting" represents a threat to accountability since control agencies might be alerted to corruption too late to react properly. It took almost four months (from July 25, 2016, until November 16, 2016) for the plenum of the CPCCS to review the final report of the COI. This case clearly violates Art. 39 of the COI regulations, which establishes that the deadline for formally submitting the final report is eight days.

Although the CPCCS considered that this case deserved further investigation and ordered its investigation office to review the process, the response did not arrive until 2018. The National Sub-coordination of Investigation considered in 2018 that the reconsideration of what was issued by the Plenary in Resolution No. PLE-CPCCS-375-16-11-2016 (2016a) violated the provisions of Article 76, literal 1 of the Constitution of the Republic of Ecuador, since "there was no substantive precision and lacked clarity on the investigative interests". Therefore, the impropriety of initiating an investigative process was declared, and the corresponding resolution was filed.

The control entity took two years to issue a ruling on this resolution, which reflects the failure to comply with the established deadlines. This represents a serious problem guaranteeing the transparency of the process and, in case irregularities are detected, to hold the institution or public officials accountable. If the control agencies do not investigate in time, the COI loses validity and legitimacy, making it impossible to sanction corruption. Therefore, the current citizen initiative would have no effect, totally undermining the capacity of the SAcc to hold the State accountable. This problem is compounded by the fact that the citizens, in this case, the citizen observers, did not follow up on the case they were monitoring, because they were never informed that the case had passed to the investigation stage.

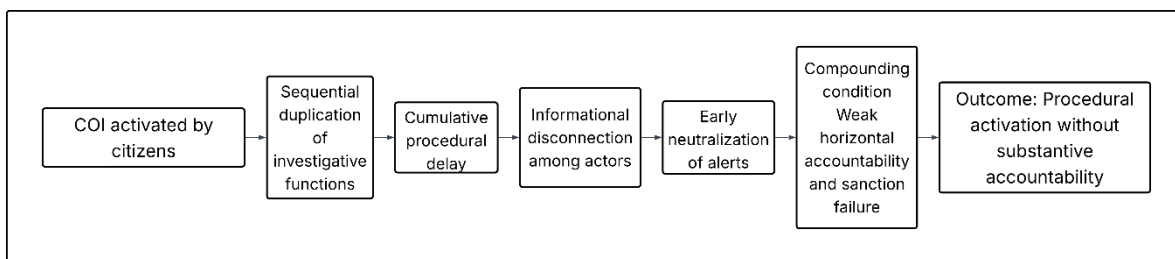
In addition, there are other structural problems with the mechanism itself. For example, the regulation of COIs indicates that any alert presented to the CPCCS must be included in the final report, once the entire initiative is concluded. Therefore, this could limit the control agency's margin to investigate and intervene in cases. In other words, the CPCCS cannot have any kind of reaction until the presentation and approval of the final COI report. Therefore, not only the investigation process, but also the measures in case of possible irregularities are also late.

This reveals a structural problem with the SAcc framework in Ecuador, specifically related to the CPCCS, since this institution does not have the competence to investigate public processes *ex officio*. Again, the CPCCS has to wait for the final report of the COI to decide whether to take action on the matter and refer it to its area of investigation. However, this study shows that the CPCCS does not have the capacity to fulfil its investigative function and this power, at best, delays the processes and notifications to other horizontal control agencies, such as the Comptrollers' or General Attorney's offices. Even if the CPCCS were to comply with its investigative process and forward its results to these institutions on any indication of corruption, the whole process would have to be investigated again from scratch. By design, the COI process, accompanied by the CPCCS, presents a duplication of functions that limits the fulfilment of one of the objectives of this mechanism: to control corruption.

## 6. FROM INSTITUTIONAL DESIGN TO SANCTION FAILURE: INTERVENING MECHANISMS

Following the logic of process tracing (Beach & Pedersen, 2013) and the empirical evidence presented above, it is possible to identify how the over-institutionalization of COIs is linked to sanction failure (Figure 2).

**Figure 2. Over-institutionalization and sanction failure**



Source: Elaborated by the authors.

From the moment they are activated, COIs are embedded in an institutional framework characterized by the sequential duplication of investigative functions. The CPCCS, the Comptroller's Office, and the Attorney General's Office may intervene successively, but each institution restarts the inquiry from scratch, without the evidence gathered in previous stages having binding effects on subsequent ones (COIP, 2014; Resolution No. PLE-CPCCS-388-22-11-2016, 2016b). Rather than an operational failure, this structural feature of institutional design multiplies veto points and systematically weakens the system's capacity to translate citizen alerts into sanctioning outcomes.

Cumulative procedural delay also contributes to this dynamic. Each stage of the process operates according to its own deadlines, which accumulate sequentially and produce a temporality that is structurally incompatible with timely oversight. In the case analyzed, the CPCCS Plenum took almost four months to review the final COI report, despite the regulation establishing an eight-day deadline, Art. 39 (Resolution No. PLE-CPCCS-388-22-11-2016, 2016b). Subsequently, the National Sub-coordination for Investigation took two years to issue a ruling, and the case was ultimately closed not for lack of evidence, but because of formal defects in the institution's own actions. Under these conditions, a

complaint originating in a citizen oversight initiative may take more than nine years to reach a possible verdict, making the mechanism practically ineffective as an instrument of corruption control.

The institutional design also produces informational disconnection among actors. There are no clear feedback obligations either among the institutions involved in the process or between them and the citizens who activate the mechanism. In Los Capulies, the citizen observers were never informed that the case file had moved to the investigation stage. This disconnection prevents citizens from exerting pressure on institutional timelines and, at the same time, weakens the preventive function of the mechanism. When oversight efforts produce no visible response, incentives for future citizen oversight are reduced.

The early neutralization of alerts prevents oversight institutions from activating their investigative and sanctioning functions in a timely manner. The design allows citizen observers themselves to classify irregularities as “good-faith errors” or “isolated cases.” At the same time, the CPCCS lacks the authority to intervene *ex officio* on the basis of the alerts it receives. As a result, possible signs of corruption may be deactivated before fully entering the formal control circuit. This limits the ability of the Comptroller’s Office and the Attorney General’s Office to become aware of the facts, investigate them, and, eventually, impose sanctions.

This is compounded by the weakness of horizontal accountability in Ecuador. The limited investigative capacity of oversight agencies contributes to a generalized climate of impunity (Freedom House, 2025). This structural weakness affects the specific institutions to which COI reports are referred. The CPCCS, formally responsible for promoting citizen participation and social oversight, has been widely questioned in recent years because of its low legitimacy and controversial institutional trajectory. Several analysts argue that its ineffectiveness derives not only from design flaws, but also from the politicization of citizen participation (Fundación Ciudadanía y Desarrollo, 2021; Moncayo, 2020; Torres & Jara-Iñiguez, 2021). The Comptroller’s Office and the Attorney General’s Office, in turn, face coordination deficits that further reduce the system’s sanctioning capacity.

As a result, Ecuador’s institutional framework produces procedural activation without substantive accountability. The oversight initiative operated according to the intended design,

citizens fulfilled their monitoring role, and the case file was processed through the institutional channels. However, the reported facts did not trigger investigative and sanctioning mechanisms in a timely manner. This outcome reflects both the procedural obstacles built into the country's normative framework and the limited enforcement capacity of control agencies.

This limitation does not appear to be confined to the specific municipal management of EMUVI-EP. While Los Capulies is examined here as a single case, the available evidence points to broader constraints in the CPCCS model itself. Official CPCCS accountability reports show that 1,428 COIs were registered between 2010 and 2022. However, research conducted for this study found no confirmed cases, up to 2022, in which a complaint originating in a COI led to a criminal sanction. Requests for information submitted to both the CPCCS and the Office of the Attorney General yielded no records linking COI reports to sanctioning outcomes. Taken together, this evidence suggests broader institutional weaknesses in the articulation between citizen oversight and horizontal accountability, rather than a problem limited to a single local administration. This interpretation is consistent with studies that point to the politicisation of the CPCCS and the influence of organised interests over its institutional trajectory (Moncayo, 2020).

Comparable patterns can be observed in other Latin American contexts. In Colombia, COIs are also formally authorised to request corrective or sanctioning measures and to submit complaints to oversight institutions such as the Comptroller General's Office, the Inspector General's Office, and the Attorney General's Office. Yet available evidence suggests that their actual capacity to trigger sanctioning outcomes is limited. Between 2015 and September 2020, the Comptroller General's Office received only 51 requests for intervention from COIs, of which just 21 were admitted, and their final outcomes remain unknown. Moreover, of the 130,358 citizen complaints filed before the CGR between 2015 and November 2020, only 402 (0.31%) originated in COIs (Cepeda, 2022).

However, case-based evidence from Colombia also suggests that participatory oversight can be more effective when it is institutionally embedded in an entity with audit capacity. Studies on the Participatory Fiscal Control System (SCFP) show that citizen-generated evidence can strengthen disclosure, trigger institutional responses, and support

corrective action when participation is directly linked to supreme audit institutions, rather than operating as an isolated community initiative (Vega-Rocha et al., 2025). This suggests that sanctioning gaps are not inherent to COIs but depend on the way institutional design connects citizen voice to state capacities for oversight, follow-up, and sanctioning.

## 7. CONCLUSIONS

The analysis of the Los Capulies COI shows that, under conditions of bureaucratic fragmentation and weak inter-agency coordination, these mechanisms may fail to fulfil their central objective: holding the state accountable. These findings derive from a single-case analysis and must therefore be interpreted with the caution that this imposes in terms of generalization. Nevertheless, the study demonstrates that horizontal accountability must function for social accountability to produce effects. Without a state response or sanction, citizen oversight efforts lose legitimacy. When the institutional design itself generates sequential duplication of investigative functions, cumulative procedural delay, informational disconnection among actors, and early neutralization of alerts, the result is procedural activation without substantive effectiveness in terms of accountability. The bounded theoretical proposition that emerges from this analysis is that over-institutionalization can produce a façade of legitimacy capable of coexisting with structural impunity.

These findings speak to evidence from other Latin American contexts, where the gap between participatory activation and sanctioning outcomes is equally common. However, the literature on anti-corruption frameworks and citizen participation mechanisms has focused predominantly on implementation failures as the primary explanation for the distance between design and results. The findings of this study contribute to that discussion by identifying a broader institutional paradox. Although these mechanisms have been promoted as pathways to strengthen accountability, their over-institutionalization can hollow out their effectiveness at the design stage itself, before implementation even comes into play. The problem does not lie solely in the rule of law, political will, or the operational capacity of oversight agencies, but in an institutional architecture that multiplies requirements, fragments responsibilities, and extends procedures to the point where sanction becomes structurally

improbable. This underscores the importance of moving beyond the formal recognition of accountability mechanisms and attending to the coherence and functional integrity of their institutional design.

These findings point to the need to revise the institutional framework of COIs in order to reduce over-institutionalization and strengthen the coordination between citizen alerts and the coercive capacity of the state. Two design adjustments deserve consideration. First, the investigative roles of the CPCCS, the Comptroller's Office, and the Attorney General's Office should be integrated into a single coordinated process, while respecting the specific investigative competencies of each institution. Allowing CPCCS findings to be transferred as admissible evidence, rather than as a mere referral, would eliminate the most significant source of duplication of functions and procedural delay. Second, the CPCCS should be granted the authority to intervene *ex officio* when signs of irregularities are identified and to refer the case directly to the competent institution for further investigation (the Comptroller's Office or the Attorney General's Office), without requiring prior approval by the CPCCS Plenum. This would prevent the early neutralization of alerts and allow the institutional response to be activated before limitation periods begin to compromise the viability of sanctioning.

Finally, since this analysis is based on a single case, its conclusions should be interpreted with caution in terms of their generalizability. Future research could examine referral rates, processing times, and sanctioning outcomes associated with COI mechanisms across different regional contexts. Comparative case studies would allow researchers to assess how outcomes vary depending on institutional capacity and inter-agency coordination. Institutional design evaluations could further test whether procedural simplification and clearer allocation of competencies increase the likelihood that citizen alerts translate into timely state action.

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**RESEARCH DATA AVAILABILITY STATEMENT**

The entire dataset supporting the results of this study was published in the article itself.

**CONFLICT OF INTEREST STATEMENT**

The authors declare no conflict of interest.

**AI USAGE STATEMENT**

No artificial intelligence tools were used.

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