



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 10 February 2020

CDDG(2019)16

## **EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE (CDDG)**

### **ABRIDGED REPORT OF THE 10th MEETING 9-11 December 2019**

#### **1. Opening of the meeting and adoption of the agenda**

The Chair, Mr Peter Andre, opened the meeting and welcomed members and other participants. The list of participants appears in the meeting report prepared by the Department [CDDG(2019)16]. The Committee adopted its agenda as it appears in Appendix I. The Chair invited members to take note of the draft order of business.

#### **2. Recent developments**

##### ***Council of Europe: oral information by the Secretariat***

**Ms Claudia Luciani**, Director of Human Dignity, Equality and Governance of the Directorate General of Democracy, broached the main developments since the last plenary meeting of the CDDG.

Ms Marija Pejčinović Burić had been elected Secretary General of the Council of Europe and had taken up her functions in September 2019.

The Finnish and the French presidencies of the Committee of Ministers had provided strong leadership for the Organisation, contributing to identifying priority areas of strategic importance. One of them was harnessing new technologies, including artificial intelligence, for the benefit of democracy, human rights and the rule of law. An ad hoc committee (CAHAI) had been set up to examine the feasibility of a Council of Europe framework on artificial intelligence. The CDDG had been called upon to contribute to this reflection, by being represented at the CAHAI and through its terms of reference for 2020-2021, which included two specific tasks in the area of technology and democracy. In order to enable the CDDG to play a leading role, within the Organisation, for the promotion of good governance and democracy, a reform of the Department on Democratic Governance would soon be implemented. The Committee would also hold two meetings per year in the next biennium. Strengthening the role of the CDDG was in line with one of the ways forward that had emerged from the Helsinki ministerial conference in May 2019, which had identified intergovernmental cooperation as one of the key assets of the Council of Europe.

Since the last plenary meeting of the CDDG, the budgetary situation had evolved: the Russian Federation had paid its outstanding financial contribution to the Council of Europe and the Ministers' Deputies had agreed to zero-real growth for the budget of the Organisation.

Finally, Ms Luciani welcomed Ms Sonia Sirtori as new Head of the Good Governance Division and Secretary to the CDDG.

***Member States: exchange of views on the basis of information from delegations concerning ongoing reforms in their countries***

The CDDG heard a comprehensive presentation by Ms Albana Kociu, Director of the Department of Public Administration, on challenges and achievements in the public administration reform in Albania, describing also the contribution provided by the Council of Europe Centre of Expertise for Good Governance. The presentation was followed by an exchange of views.

The CDDG also heard a presentation by Mr Vache Terteryan, Deputy Minister of Territorial Administration and Infrastructure, on the reform of local self-government in Armenia.

The texts of both presentations are made available on the CDDG [webpage](#).

**3. Information by the Chair and Bureau members on recent activities**

The CDDG took note of document CDDG(2019)1, which listed the events which he had attended to represent the Committee. The Chair wished to draw the members' attention to the Round Table on Artificial Intelligence (20 September 2019), the first meeting of the CAHAI (18-20 November 2019) and the GR-DEM meeting in which he took part. The document also listed other events which had been attended by the Vice-Chair and members of the Bureau.

**4. Promoting democratic governance through shared experience**

**Ms Gabriella Battaini-Dragoni**, Deputy Secretary General of the Council of Europe, encouraged the CDDG to continue to lead the Council of Europe's intergovernmental work aimed at strengthening democratic institutions, public administration, decentralisation and good governance, with a particular emphasis on enhancing citizens' participation and promoting public ethics.

During the past few years, growing concerns had emerged as regards the good functioning of European democracies and the decreasing trust of citizens in public institutions. These were exactly the issues to which the CDDG tried to provide solutions by acting as a forum for discussion where member States share their experience with ongoing reforms, by developing legal standards and soft law instruments, and by inspiring and participating in the cooperation projects of the Centre of Expertise for Good Governance.

In the next biennium the CDDG had been asked to work on important emerging challenges, such as digital transformation and the impact of technology, including artificial intelligence, on electoral processes, governance and democratic institutions. These were new areas in which the Council of Europe could play a pioneering role and increase its relevance for the benefit of its member states and their citizens.

The full text of the speech can be found [here](#).

### ***Administrative and local government reform***

**Mr Michal Bagačka**, State Secretary responsible for Public Administration, Slovak Republic shared the experience of the Slovak Republic in strengthening local government and informed the CDDG of activities that were being implemented in cooperation with the Council of Europe, especially the Centre of Expertise for Good Governance. Council of Europe expertise had been valuable in identifying recommendations to improve the present system of internal control and address the problem of the excessive fragmentation of self-government in the Slovak Republic. Further cooperation with the Centre of Expertise could be envisaged on the status of the capital city.

The presentation was followed by an exchange of views. The full text of the presentation can be found [here](#).

**Mr Sigurður Ingi Jóhannsson**, Minister of Transport and Local Government, Iceland presented the system of local government in Iceland, highlighting challenges such as the low population density and the high number of municipalities: more than half of the them had less than 1000 inhabitants and one third had less than 500. Many municipalities were not socially sustainable in terms of age. An extensive equalization system was in use. Draft legislation was being considered by parliament to reform the system of local government. If adopted, this proposal would further reduce the number of municipalities and increase their number of inhabitants. This would both strengthen local democracy and bring about considerable economic gains.

The presentation was followed by an exchange of views. The full text of the presentation can be found [here](#).

The video can be found [here](#).

**Mr Viacheslav Nehoda**, Deputy Minister of Regional Development, Ukraine, presented challenges and achievements in the decentralisation process in Ukraine. From 2015 to 2019, the number of amalgamated communities had risen from 159 to 1008. The process was still ongoing, with more communities to follow suit. Amalgamation had been undertaken on a voluntary basis, with important incentives being provided through State support. 2020 represented an important timeline for the reform, with Constitutional and legislative changes to be introduced ahead of the local elections. The majority of the Ukrainian population supported the reform and found that the quality of services in amalgamated communities was better than before amalgamation.

The full text of the presentation can be found [here](#).

### ***Other international organisations***

**Mr Sean Dougherty from OECD Network on Fiscal Relations** presented the work of the Network regarding sub-national public finance and fiscal decentralisation. He outlined the approach of the Network, its priorities and ongoing work. By focusing on the relationship between central and subcentral government and its impact on efficiency, equity and macroeconomic stability, he illustrated the impact of fiscal decentralisation on sub-national government performance, economic growth and equality.

Mr Dougherty's presentation was followed by an exchange of views. The full text of the presentation can be found [here](#).

### **5. Cooperation with Congress of Local and Regional Authorities of the Council of Europe**

**Mr Andreas Kiefer**, Secretary General of the Congress, updated the CDDG on the recent activities of the Congress, focusing on the Congress' contribution to achieving UN Sustainable Development Goals, its country-specific monitoring and its election observation missions. He presented the [Carta Monitor website](#), which provides access to the analysis, article by article, carried out during the Congress' monitoring missions and allows for a comparative analysis on several articles and countries.

He referred to a number of publications on issues such as transparency, public ethics and civil participation in local affairs, encouraging CDDG members to explore the possibility of having them translated into a wide range of languages in order to maximise their outreach.

From an institutional point of view, the Congress planned to strengthen cooperation and synergies with the Parliamentary Assembly. Moreover, a revision of the Charter of the Congress was under discussion, whereby, as of 2020, member States without regions would no longer be obliged to nominate members to the Chamber of Regions (without voting rights). Subject to the approval of the Committee of Ministers, member States would also be invited, by the end of June 2020, to nominate members for their respective national delegations to the Congress for a five-year mandate.

The presentation was followed by an exchange of views. The links to the main documents which were referred to by Mr Kiefer can be found in doc. [\[CDDG\(2019\)15\]](#).

### **6. Review meeting on implementation of Recommendation [CM/Rec \(2017\)5](#) on standards for e-voting**

The Chair recalled that Recommendation CM/Rec (2017)5 on standards for e-voting asked member States to keep under review their policy on, and experience of, e-voting, and in particular how and to what extent the provisions of this recommendation were being implemented in order to provide the Council of Europe with a basis for holding review meetings on the implementation of this recommendation at least every two years.

In the terms of reference for 2018-2019, the CDDG had been asked to hold such a review meeting. A questionnaire had been sent out to all member States with a view to collecting information in preparation of the meeting. 30 member States had replied to the questionnaire. Their replies had been shared with the members of the CDDG while a summary was publicly available (CDDG(2019)2).

The CDDG heard presentations by Mr Gregor Wenda, former Chair of the Ad hoc Committee of Experts on legal, operational and technical standards for e-voting (CAHVE), and Ms Ardita Driza Maurer, former member of the CAHVE and currently expert consultant for the CDDG. The experts provided information about additional countries and highlighted that experiences and opinions were mixed: while few member States had positive experiences with using e-voting, others expressed concerns relating to security, public trust, costs, transparency and protection of personal data. The overall impression was that, whereas the general willingness for introducing e-voting in member States was low, Recommendation CM/Rec(2017)5 on e-voting was very useful for countries that were considering introducing it and for those which had e-voting already in place. Additionally, the use of electronic tools in various stages of the electoral cycle – aside from the actual vote casting – was established in many countries and that this practice was found to be beneficial.

The CDDG concluded that there was a need for constantly reviewing the implementation of the Recommendation CM/Rec(2017)5 and that it would hold another review meeting in 2021. In addition, the CDDG welcomed the opportunity to continue to work on the use of electronic tools in various stages of the electoral cycle in its terms of reference for 2020-2021 and agreed to further include the expertise of the former CAHVE members in the process.

## **7. Decisions by the Committee of Ministers of relevance to the work of the CDDG**

### *7.1 Issues presented for consideration by the CDDG*

The CDDG took note of the Secretariat memorandum CDDG(2019)3 rev which listed decisions taken by the Committee of Ministers of the Council of Europe since the CDDG's plenary meeting of 28-30 November 2018 and which were of relevance to the work of the Committee.

The CDDG took note of Assembly Recommendation 2162 (2019) on *Improving the protection of whistle blowers all over Europe* and approved elements for a draft reply by the Committee of Ministers (Appendix II).

The CDDG took note of Congress Recommendation 438 (2019) on *Fair distribution of taxes in transfrontier areas: Potential conflicts and possibilities for compromise*. During a preliminary discussion on this matter, a delegation made a statement and asked for it to be included in the meeting report (Appendix III). The CDDG discussed possible elements to be included in a draft reply. It instructed the Secretariat to circulate written elements drafted on the basis of the discussion, which would be submitted for further comments and final approval by the CDDG by written procedure in January 2020.

## 7.2 CDDG Terms of Reference 2020-2021

- Exchange of views and consideration of a workplan

The Secretariat presented the terms of reference for 2020-2021 as adopted by the Ministers' Deputies and a workplan to tackle the specific tasks. A reflection on some of the specific tasks of the next biennium had already started, namely as regards the impact of the digital transformation on democracy and governance and new technologies in the electoral cycle. In this respect, the Secretariat referred to documents CDDG(2019)5, CDDG(2019)6, and CDDG(2019)7.

The CDDG took note of its terms of reference for the biennium 2020-2021. It decided to set up the following subordinate bodies and approved their terms of reference as set out in doc. CDDG(2019)4 rev:

- a working group on democracy and technology (GT-DT);
- a Rapporteur on democracy and technology (R-DT);
- a working group on accountability (GT-RE).

It was underlined that all member States could appoint representatives/ independent experts to the working groups. The Secretariat was instructed to look into the possibility of setting up an online platform to enable all member States to follow the work of both working groups and be able to contribute to it.

The CDDG decided the following defrayal of expenses:

- in GT-DT, one representative/independent expert from each of the following member States: Austria, Bosnia and Herzegovina, Czech Republic, Finland, Greece, Italy, Netherlands, Switzerland, United Kingdom;
- in GT-RE, one representative/independent expert from each of the following member States: Belgium, Czech Republic, Denmark, Finland, Greece, Iceland, Italy, Slovak Republic, Spain.

Defrayal of expenses for R-DT was decided in accordance to CDDG(2019)4 rev.

The CDDG invited member States to indicate the name of their representatives/independent experts by 23 December 2019.

The CDDG appointed:

- Mr Peter Andre (Austria) as Rapporteur on democracy and technology (R-DT);
- Mr Edwin Lefebre (Belgium) and Ms Siobhan Smyth (United Kingdom) as Rapporteurs on gender equality;
- Mr Markku Mollari (Finland) as Rapporteur on the rights of persons with disabilities.

## **8. State of implementation of the CDDG activities according to its terms of reference 2018-2019**

### *8.1 Public ethics*

- Information on the meetings of the CDDG working group on public ethics (18-19 March and 16-17 September 2019, Strasbourg)

The CDDG took note of the meeting reports.

- Guidelines on public ethics

Following an exchange of views, the CDDG approved, with small changes, the Draft Guidelines on public ethics with a view to their transmission to the Committee of Ministers for adoption (Addendum).

- Revised handbook of good practice on public ethics

Following an exchange of views, the CDDG examined the revised handbook, which consisted on the draft Guide: "*Steps to implementing public ethics in public organisations*". With the addition of some case studies and the inclusion of drafting proposals, the CDDG approved the draft Guide [\[CDDG\(2019\)9\]](#). The CDDG also decided that, since the Guide would be a *living document*, additional case studies could be submitted and examined by the CDDG on a regular basis, with a view to their inclusion.

- Feasibility study on a Council of Europe indicator framework on public ethics

The CDDG heard a presentation of the feasibility study from the Secretariat. The CDDG approved the study whose main conclusion is that the Council of Europe should not be preparing this kind of framework but the Centre of Expertise for Good Governance could be given the task of elaborating a model benchmark/checklist on public ethics [\[CDDG\(2019\)10\]](#).

### *8.2 E-democracy*

- Information on the meetings of the CDDG working group on e-democracy (14-15 March and 12-13 September 2019, Strasbourg)

The CDDG took note of the working group meeting reports.

- Guidelines on e-democracy in the form of a toolkit

The CDDG examined the draft Guidelines in the form of a toolkit. Following an exchange of views, with the addition of case studies and some modifications, including in the glossary, the CDDG approved the draft Guidelines in their substance. At the same time, it appointed Ms Monika Filipova (Slovak Republic), Ms Gordana Gapikj-Dimitrovska (North Macedonia), Mr Paul Rowsell (United Kingdom) as Rapporteurs, asking them to make the appropriate changes to the text with a view to bringing out a clear narrative and ensuring its internal coherence. It also instructed the Secretariat to collect additional case studies and to involve the Centre of Expertise for Good Governance in the drafting of a checklist to be included in the draft Guidelines.

The CDDG decided that the draft Guidelines should be submitted to the next Bureau and then to the next plenary CDDG for final approval.

### *8.3 Strategy for Innovation and Good Governance*

Ms Alina Tatarenko, Head of the Centre of Expertise for Good Governance, presented the state of play as regards ELoGE accreditations and progress in the promotion of the 12 Principles of Good Democratic Governance.

The CDDG took note of the report on the third meeting of the European Stakeholders' Platform (23 May 2019) as well as of a document with the Programme and key conclusions and recommendations of the Conference on the 12 Principles of Good Democratic Governance and the European Label of Governance' Excellence (28 October 2019).

## **9. Developing tools on good democratic governance and supporting reforms**

### *Centre of Expertise for Good Governance*

Ms Alina Tatarenko presented the activities of the Centre of Expertise in 2019, which were described in the annual report of the Centre CDDG(2019)13.

- Activity report of the Centre of Expertise: state of implementation and activities in 2019

In 2019, the Centre of Expertise had provided support to 19 Council of Europe member States and Belarus. As of the end of 2019, it managed the implementation of projects and activities for a total budget of over €10 million, a steep increase compared to nearly €4 million at the end of 2018.

The CDDG took note of the Annual Activity Report 2019.

## **10. Election of the Bureau**

The Committee elected: Ms Monika Filipova (Slovak Republic), Chair, for one year; Mr Markku Mollari (Finland), Vice-Chair, for one year; and the following Bureau members: Mr Peter Andre (Austria), for two years; Ms Natalia Las Heras Oliete (Spain), for two years; Mr Edwin Lefebvre (Belgium), for one year; Ms Milica Marković (Serbia), for two years; Mr Paul Rowsell (UK), for two years.

## **11. Chairmanships of the Committee of Ministers**

### *Activities under the French Presidency (17 May 2019 – 27 November 2019) and Priorities of the Presidency of Georgia (27 November 2019 – May 2020)*

The CDDG took note of the activities that had been carried out under the French Presidency of the Committee of Ministers as well as the Priorities of the Georgian Presidency.



## **12. Activities of other Council of Europe bodies**

The CDDG took note of document CDDG(2019)15, which provided an overview of the activities of a wide range of Council of Europe bodies in the area of good governance and provided the relevant links. In addition, the CDDG heard the following oral presentations:

- by Mr Gerhard Ermischer, Vice-President of the Conference of INGOs, on the activities of the INGOs Conference, and inter alia the revised code of good practice on civil participation in the decision-making process (link: <https://www.coe.int/en/web/ingo/-/conference-of-ingos-adopts-revised-code-of-good-practice>);
- by Mr Daniel Popescu, Head of the Democratic Governance Department, on the 2019 edition of the World Forum for Democracy;
- by Mr François Friederich, Head of the Electoral Assistance Division, on the activities of the division in 2019.

The CDDG took note of the recommendations in the report on the Evaluation of the intergovernmental committees by the Directorate of Internal Oversight. It welcomed that the CDDG would have two meetings per year in the next terms of reference and stood ready to tackle its ambitious terms of reference. It reserved itself to discuss a possible revision of the rules presiding its functioning. The CDDG confirmed its commitment to reinforce effective coordination and cooperation with other intergovernmental committees and Council of Europe bodies in the carrying out of its terms of reference.

## **13. Other business**

*Reports of meetings of the Bureau*

The CDDG took note of the information presented in the meeting reports of the Bureau.

## **14. Adoption of the abridged meeting report**

The CDDG adopted the abridged meeting report.

## **15. Date and place of the next meeting**

The 11<sup>th</sup> plenary meeting of the CDDG would be held on 27-28 April 2020 in Strasbourg.

A provisional calendar of meeting dates for the CDDG, CDDG Bureau and the working groups is presented in Appendix IV.

**APPENDIX I****LIST OF PARTICIPANTS****MEMBERS / MEMBRES****CHAIRMAN / PRESIDENT**

Mr Peter ANDRE, Ministry of Interior, Senior Expert for Legal Affairs

**ALBANIA / ALBANIE**

Ms Albana KOCIU, Director of Department of Public Administration

Mr Ened KERCINI, Director of IT, Department of Public Administration

**ARMENIA / ARMENIE**

Mr Vache TERTERYAN, Deputy Minister of Territorial Administration and Infrastructure

**AUSTRIA / AUTRICHE**

Mag. Stefan GÖLLER, BA, Amt der Wiener Landesregierung

**AZERBAIJAN / AZERBAÏDJAN**

Mr Seymur NAGHIYEV, Legal Advisor, Ministry of Justice

**BELGIUM / BELGIQUE**

Mr Edwin LEFEBRE, Ministry of the Flemish Community, Agency for Home Affairs

**BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE**

Ambassador Almir ŠAHOVIĆ, Assistant Minister for Multilateral Affairs, Ministry of Foreign Affairs of Bosnia and Herzegovina

**BULGARIA / BULGARIE**

Mr Valery NAYDENOV, Head of Department "Administrative territorial structure", Ministry of Regional Development and Public Works

Mr Mihail VASILEV, Department "Administrative territorial structure", Ministry of Regional Development and Public Works

**CYPRUS / CHYPRE**

Mr Antonis ECONOMIDES, Chief Administrative Officer, Ministry of the Interior

**CZECH REPUBLIC / REPUBLIQUE TCHEQUE**

Mr Petr FEJTEK, Department for Strategic Development and Coordination of Public Administration, Ministry of Interior of the Czech Republic

**DENMARK / DANEMARK**

Mr Henrik Villum JENSEN, Ministry of Social Affairs and the Interior

Mr Mads HOLT, Administrative Officer, Department of Public Administrative Law, Ministry of Social Affairs and the Interior

**ESTONIA / ESTONIE**

Mr Mart UUSJÄRV, Head of Regional Administration Policy Department, Ministry of Finance

**FINLAND / FINLANDE**

Mr Markku MÖLLÄRI, Ministerial adviser, Department for Local Affairs and Regional Administration, Ministry of Finance

**FRANCE**

Mme Mathilde CISOWSKI, Bureau des structures territoriales (CIL2), Sous-direction des compétences et des institutions locales, Direction générale des collectivités locales, Ministère de l'Intérieur

**GEORGIA / GEORGIE**

Apologised for absence / Excusé

**GERMANY / ALLEMAGNE**

Mrs Gabriele STELLMACHER, Representative of the „Laender“ (States), Ministry of Interior and Sports of Lower Saxony, Department for Local Government Affairs

**GREECE / GRECE**

Mr Georgios CHRYSAFIS, Directorate of Organisation and Functioning of Local Government, Ministry of the Interior

**HUNGARY / HONGRIE**

Mr David KOJSZA, Officer for International Relations, Prime Minister's Office, Cabinet of the State Secretariat for Public Service

**ICELAND / ISLANDE**

Mr Sigurður Ingi JÓHANNSSON, Minister of Transport and Local Government

Mrs Stefanía TRAUSTADÓTTIR, Senior Advisor, Local Government, Department of Local Government and Regional Policy, Ministry of Transport and Local Government

Ms Ragnhildur HJALTADÓTTIR, Permanent Secretary

Mr Sigtryggur MAGNASON, Political Adviser

**IRELAND / IRLANDE**

Ms Louise PURCELL, Assistant Principal, Department of Housing, Planning, and Local Government, Custom House

**ITALY / ITALIE**

Mr Francesco GIUSTINO, Presidenza del Consiglio dei Ministri, Ufficio Attività Internazionali

**LATVIA / LETTONIE**

Ms Agnese PABERZA DRAUDINA, senior expert, Local Governments Department, Local Governments Supervision Division, Ministry of Environmental Protection and Regional Development

Mrs Fatma FRIDENBERGA, Riga City Council Legal Office

**LITHUANIA / LITUANIE**

Mr Paulius SKARDŽIUS, Senior Adviser, Ministry of the Interior

**LUXEMBOURG**

M. Stephan MÜLLER, Ambassadeur Extraordinaire et Plénipotentiaire, Représentation Permanente du Luxembourg auprès du Conseil de l'Europe

Ms Roberta Spoto, Adjointe au Représentant Permanent du Luxembourg

**MALTA / MALTE**

Mr Natalino ATTARD, Director General (Local Government), Local Government Division, Ministry for Justice, Culture and Local Government

Mr Christopher GALEA, Director (Local Government Monitoring and Support), Local Government Division, Ministry for Justice, Culture and Local Government

**REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA**

Mr Adrian ERMURACHI, Deputy Secretary General of the Government

**MONTENEGRO**

Ms Zorana POPOVIC, Senior Adviser, Directorate for Local Self-Government, Ministry of Public Administration

**NETHERLANDS / PAYS-BAS**

Mr Jan Willem KOOISTRA, Program Manager, Democracy and Citizenship Department, Ministry of the Interior and Kingdom Relations

**NORTH MACEDONIA / MACEDOINE DU NORD**

Ms Gordana GAPIKJ-DIMITROVSKA, State Advisor, the Ministry of Information Society and Administration

**NORWAY / NORVEGE**

Mrs Nina Britt BERGE, Senior Adviser, Department for Local Government, Ministry of Local Government and Modernisation

**PORTUGAL**

Mr Andra NIKOLIC, Head of the Financial Recovery Department, General Directorate for Local Authorities

**ROMANIA / ROUMANIE**

Mr Mihai Adrian GROSAN, Chief of service, Ministry of Public Works, Development and Administration, Directorate General of Public Administration, Romanian Government

**RUSSIAN FEDERATION / FEDERATION DE RUSSIE**

Mr Vladimir LEBEDENKO, Vice-Director of the Department for Liaisons with the Constituent Entities of the Federation, the Parliament, and Public Associations of the MAE

**SAN MARINO / SAINT-MARIN**

Apologised for absence / Excusé

**SERBIA / SERBIE**

Ms Milica MARKOVIĆ, Senior Advisor, Head of Section for the development of Local Self-government system, Ministry of Public Administration and Local Self-government

**SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE**

Mr Michal BAGAČKA State Secretary responsible for Public Administration

Ms Monika FILIPOVÁ, Director a.i., Local State Administration, Self-Government and Foreign Relations Department, Public Administration Section, Ministry of Interior of the Slovak Republic

Ms Nad'a KURILOVÁ, Local Self-Government Unit, Local State Administration, Self-Government and Foreign Relations Department, Public Administration Section, Ministry of Interior of the Slovak Republic

Ms Nadežda NOŠKOVÁ, Protocol Department, Office of the Minister of Interior

Mr Radoslav KUSENDA, Permanent Representation of the Slovak Republic to the Council of Europe

Mr Ferdinand PAL, Interpreter

**SLOVENIA / SLOVENIE**

Mr Roman LAVTAR, Head of Office for Local Self-Government, Ministry of Public Administration

**SPAIN / ESPAGNE**

Mrs Natalia LAS HERAS OLLETE, Deputy Director for European and International Relations, Secretary General for Territorial Coordination, Ministry for Territorial Policy

**SWEDEN / SUEDE**

Ms Maria ANTONSSON, Desk Officer, Ministry of Finance, Department of Public Administration, Local Government Division

Dr. Daniel WOHLGEMUTH, Ministry of Culture, Division for Media and Democracy

**SWITZERLAND / SUISSE**

M. Bertrand BISE, Chef suppléant de l'unité Projets législatifs I, Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Domaine de direction Droit public

**TURKEY / TURQUIE**

Mr Sertac SEZGIN, Controller of Municipalities, Ministry of Interior

**UKRAINE**

Mr Viacheslav NEHODA, First Deputy Minister of Community and Territorial Development

Mrs Elena KOTLYAROVA, Head of Expert Group on Cooperation, with EU institutions and international, technical assistance, Ministry of community and territorial development

**UNITED KINGDOM / ROYAUME-UNI**

Mr Paul ROWSELL, Head of Governance Reform and Democracy Unit, Ministry of Housing, Communities and Local Government

Ms Siobhan SMYTH, Governance Reform and Democracy Unit, Ministry of Housing, Communities and Local Government

**PARTICIPANTS**

**PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLEE PARLEMENTAIRE DU CONSEIL DE L'EUROPE**

Ms Yulia PERERVA, Committee on Social Affairs, Health and Sustainable Development

**CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE / CONGRES DES POUVOIRS LOCAUX ET REGIONAUX DU CONSEIL DE L'EUROPE**

Mr Andreas KIEFER, Secretary General / Secrétaire Général

Mr Tim LISNEY, Deputy Secretary of the Chamber of Local Authorities / Secrétaire adjoint de la Chambre des pouvoirs locaux – Secretary of the Governance Committee / Secrétaire de la Commission de la gouvernance

Mr Kjartan MAGNUSSON, Secretariat of the Governance Committee / Secrétariat de la Commission de la gouvernance

**CONFERENCE OF INGOs OF THE COUNCIL OF EUROPE / CONFERENCE DES OING DU CONSEIL DE L'EUROPE**

Mr Gerhard ERMISCHER, CIVILSCAPE, Representative of the INGOs Conference to the CDDG, ASCHAFFENBURG, Germany

**COMMISSIONER FOR HUMAN RIGHTS / COMMISSAIRE AUX DROITS DE L'HOMME**

Apologised for absence / Excusé

**OTHER PARTICIPANTS / AUTRES PARTICIPANTS**

**EUROPEAN UNION / UNION EUROPEENNE**

M. Tom JINERT-BARET

**HOLY SEE / SAINT-SIEGE**

Apologised for absence / excusé

**BENELUX UNION/UNION BENELUX**

Apologised for absence / excuse

**OBSERVERS / OBSERVATEURS**

**ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) /  
ORGANISATION DE COOPERATION ET DE DEVELOPPEMENT ECONOMIQUES (OCDE)**

Mr Sean DOUGHERTY, Senior adviser, OECD Network on Fiscal Relations

**COUNCIL OF EUROPEAN MUNICIPALITIES AND REGIONS (CEMR) / CONSEIL DES  
COMMUNES ET REGIONS D'EUROPE (CCRE)**

Apologised for absence / excusé

**EUROPEAN COUNCIL OF SPATIAL PLANNERS / CONSEIL EUROPEEN DES  
URBANISTES (ECTP-CEU)**

Apologised for absence / excusé

**EXPERTS-CONSULTANTS**

Ms Arditia DRIZA MAURER, University of Zurich, Zentrum für Demokratie Aarau, Gimel,  
Switzerland

Mr Gregor WENDA, Deputy Head of Department, Directorate General of Legal Affairs, Federal  
Ministry of Legal Affairs, Federal Ministry of the Interior, Vienna, Austria

**SECRETARIAT**

Ms Gabriella BATTAINI DRAGONI, Deputy Secretary General of the Council of Europe

Ms Claudia LUCIANI, Director of Human Dignity, Equality and Governance / Directrice de la  
dignité humaine, de l'égalité et de la gouvernance / Directorate General of Democracy /  
Direction générale de la démocratie

Mr Daniel POPESCU, Head of Democratic Governance Department / Chef du Service de la  
gouvernance démocratique – Directorate of Human Dignity, Equality and Governance /  
Direction de la dignité humaine, de l'égalité et de la gouvernance - Directorate General of  
Democracy / Direction générale de la démocratie

Ms Sonia SIRTORI, Head of the Good Governance Division / Cheffe de la Division de la  
bonne gouvernance – Secretary of the CDDG / Secrétaire du CDDG - Directorate of Human  
Dignity, Equality and Governance / Direction de la dignité humaine, de l'égalité et de la  
gouvernance, Directorate General of Democracy / Direction générale de la démocratie

Mr François FRIEDERICH, Head of Electoral Assistance Division / Chef de la Division de  
l'assistance électorale / Directorate of Human Dignity, Equality and Governance / Direction  
de la dignité humaine, de l'égalité et de la gouvernance, Directorate General of Democracy  
/ Direction générale de la démocratie

Ms Alina TATARENKO – Head of the Centre of Expertise for Local Government Reform /  
Cheffe du Centre d'expertise sur la réforme de l'administration locale - Good Governance  
Division / Division de la bonne gouvernance - Directorate of Human Dignity, Equality and  
Governance / Direction de la dignité humaine, de l'égalité et de la gouvernance -  
Directorate General of Democracy / Direction générale de la démocratie

Mme Isabelle ETTER - Assistant / Assistante

Mr Stefan STANKOVIC – Trainee / Stagiaire

**Interpreters / Interprètes**

Derrick WORSDALE

Bettina LUDEWIG

Christine TRAPP

Victor SCHEVCHENKO



## APPENDIX II

## AGENDA

- |           |   |  |                                   |
|-----------|---|--|-----------------------------------|
| <b>1.</b> | <b>Opening of the meeting and adoption of the agenda</b>  | [CDDG(2019)OJ1<br>rev.]<br>Order of business | For adoption                      |
| <b>2.</b> | <b>Recent developments</b>  |  |                                   |
|           | - Council of Europe: information by Ms Claudia Luciani,<br>Director of Human Dignity, Equality and Governance                       |  | For information<br>and discussion |
|           | - Member States: exchange of views on the basis of<br>information from delegations concerning ongoing<br>reforms in their countries |  | For information                   |
| <b>3.</b> | <b>Information by the Chair and Bureau members on<br/>recent activities</b>   | [CDDG(2019)1]                                | For information                   |
| <b>4.</b> | <b>Promoting democratic governance through shared<br/>experience</b>  |  |                                   |
|           | <i>Intervention by Ms Gabriella Battaini Dragoni, Deputy<br/>Secretary General of the Council of Europe</i>                         |  |                                   |
|           | <i>Administrative and government reform</i>   |  |                                   |
|           | - Mr Michal Bagačka, State Secretary responsible for<br>Public Administration, Slovak Republic                                      |  | For discussion                    |
|           | - Mr Sean Dougherty, OECD Network on Fiscal Relations   |  |                                   |
|           | - Mr Sigurður Ingi Jóhannsson, Minister of Transport and<br>Local Government, Iceland   |  |                                   |
|           | - Mr Viacheslav Nehoda, Deputy Minister of Regional<br>Development, Ukraine   |  |                                   |
|           | <i>Other international organisations</i>  |  |                                   |
|           | - Mr Sean Dougherty, OECD Network on Fiscal Relations   |  |                                   |
| <b>5.</b> | <b>Cooperation with the Congress of Local and<br/>Regional Authorities of the Council of Europe</b>                                 |  |                                   |
|           | Exchange of views with Mr Andreas Kiefer, Secretary<br>General of the Congress  |  | For discussion                    |
| <b>6.</b> | <b>Review meeting on implementation of<br/>Recommendation <a href="#">CM/Rec(2017)5</a> on standards for e-<br/>voting</b>          | [CM/Rec(2017)5]<br>[CDDG(2019)2]             | For information<br>For decision   |
| <b>7.</b> | <b>Decisions by the Committee of Ministers of<br/>relevance to the work of the CDDG</b>   |  | For discussion                    |
| 7.1       | <i>Issues presented for consideration by the CDDG</i>   | [CDDG(2019)3]                                | For action                        |

7.2	<i>CDDG Terms of Reference 2020-2021</i> - Exchange of views and consideration of a workplan - The impact of the digital transformation on democracy and governance	Terms of Reference [CDDG(2019)4 rev.]	For decision
	<ul style="list-style-type: none"> <li>• <i>Round Table on Artificial Intelligence and the Future of Democracy (Strasbourg, 20 September 2019)</i></li> <li>• <i>Artificial Intelligence, Democracy and Governance: a brief overview of ongoing work by other international organisations and fora</i></li> </ul>	[CDDG(2019)5] [CDDG(2019)6]	For information For information
	- New technologies in the electoral cycle	[CDDG(2019)7]	For information
	- Appointment of Rapporteurs on Gender Equality, on Children's Rights, on Roma and Travellers Issues and on the rights of persons with disabilities		For appointment
<b>8.</b>	<b>State of implementation of the CDDG activities according to its terms of reference 2018-2019</b>		
8.1	<i>Public ethics</i> - Information on the meetings of the CDDG working group on public ethics (18-19 March and 16-17 September 2019, Strasbourg)	[GT-EP(2019)2] [GT-EP(2019)7]	For information For information
	- Guidelines on public ethics	[CDDG(2019)8]	For adoption
	- Revised handbook of good practice on public ethics	[CDDG(2019)9 + Addendum]	For adoption
	- Feasibility study on a Council of Europe indicator framework on public ethics	[CDDG(2019)10]	For decision
8.2	<i>E-democracy</i> - Information on the meetings of the CDDG working group on e-democracy (14-15 March and 12-13 September 2019, Strasbourg)	[GT-ED(2019)4] [GT-ED(2019)7]	For information For information
	- Guidelines on e-democracy in the form of a toolkit	[CDDG(2019)11 + Addendum]	For approval in substance and decision
8.3	<i>Strategy for Innovation and Good Governance</i> - Promotion of the 12 Principles of Good Democratic Governance in member States		For information
	- Report on the third meeting of the European Stakeholders' Platform (23 May 2019)	[DG-SP(2019)3]	For discussion
	- Conference on the 12 Principles of Good Democratic Governance and the European Label of Governance' Excellence (28 October 2019)	[CDDG(2019)12]	For information
<b>9.</b>	<b>Developing tools on good democratic governance and supporting reforms</b>		
	<i>Centre of Expertise for Good Governance</i> - Activity report of the Centre of Expertise: state of implementation and activities in 2019	[CDDG(2019)13]	For discussion
<b>10.</b>	<b>Election of the Bureau</b>		
	<i>Election of the Chair, Vice-Chair and five members of the Bureau</i>	[CDDG(2019)14]	For election

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| <b>11. Chairmanships of the Committee of Ministers</b>   |  | For information                                       |
| <i>Activities under the French Presidency (17 May 2019 – 27 November 2019) and<br/>Priorities of the Georgian Presidency (27 November 2019 – May 2020)</i> | Stocktaking<br><br>Priorities                              |   |
| <b>12. Activities of other Council of Europe bodies</b>  | [CDDG(2019)15]   | For information                                       |
| Presentations on:<br>- INGOs Conference<br>- World Forum for Democracy<br>- The activities of the Electoral Assistance Division                            |  |   |
| - Directorate of Internal Oversight: Evaluation of the intergovernmental committees  | Final report   | For information                                       |
| <b>13. Other business</b>  |  |   |
| - Reports on meetings of the Bureau  | [CDDG-Bu(2019)9]<br>[CDDG-Bu(2019)21]<br>[CDDG-Bu(2019)25] | For information<br>For information<br>For information |
| - Any other item   |  |   |
| <b>14. Adoption of the abridged meeting report</b>   | [CDDG(2019)16]   | For adoption  |
| <b>15. Date and place of the next meeting</b>  |  | For decision  |

**APPENDIX III****ELEMENTS FOR A REPLY BY THE MINISTERS' DEPUTIES TO  
RECOMMENDATION 2162 (2019) OF THE PARLIAMENTARY ASSEMBLY ON  
"IMPROVING THE PROTECTION OF WHISTLE BLOWERS ALL OVER EUROPE"**

The European Committee on Democracy and Governance (CDDG) has taken into account Recommendation 2162 (2019) of the Parliamentary Assembly on "Improving the protection of whistle blowers all over Europe" and Resolution 2300 (2019) related thereto in the preparation of the draft Guidelines on public ethics and the draft Guide "Steps to implementing public ethics in public organisations", which it approved at its 10<sup>th</sup> plenary meeting (Strasbourg, 9-11 December 2019) with a view to their transmission to the Committee of Ministers.

The CDDG agrees with the Assembly that whistle blowers play an essential role in any open and transparent democracy and that the recognition they are given and the effectiveness of their protection in both law and practice against all forms of retaliation constitute a genuine democracy "indicator".

The CDDG is of the opinion that whistle blowers should be protected against direct or indirect retaliation, including dismissal, suspension, demotion, loss of promotion opportunities, punitive transfers, reductions in or deductions from wages, harassment or any other punitive or discriminatory treatment.

As stated in the draft Guide drawn up by the CDDG, procedures for reporting and submitting formal complaints on serious unethical or potentially criminal behaviour in relation to any public organisation should be laid down in law, regulations and codes of conduct. There should be internal and external mechanisms to whom misconduct and/or unethical behaviour can be reported. The relevant report should be treated as confidential.

As regards the recommendation that the Committee of Ministers begin preparations for a binding legal instrument on whistle blowers in the form of a Council of Europe convention, the CDDG believes that the elaboration of clear, pan-European standards would have an added value. The form that these standards remains open. Should the Committee of Ministers decide to pursue this avenue, the CDDG stands ready to give its contribution.

**APPENDIX IV****Statement of Ambassador Stephan Müller, Permanent Representative of Luxembourg, during the plenary meeting of the CDDG on 11 December 2019 (in French only)**

Concernant la Recommandation du Congrès des pouvoirs locaux et régionaux n° 438 (2019), le Luxembourg souhaiterait porter les points suivants à votre attention :

❖ La suite réservée aux recommandations du rapport Lambertz au niveau intergouvernemental doit être respectueuse de l'orthodoxie institutionnelle du Conseil de l'Europe ;

❖ Le Congrès est allé trop loin dans l'interprétation de son mandat en adoptant un tel rapport « ambitieux » pour ne pas dire « hors propos » alors qu'il n'a ni les moyens ni les outils pour en réaliser les objectifs sans faire double-emploi ;

❖ Il faut redresser la barre par rapport à une interprétation trop vaste du mandat, surtout au vu du cadre budgétaire actuel ;

❖ Traitant de la coopération transfrontalière en matière fiscale, cette recommandation est la première à dépasser les rapports entre les Gouvernements centraux et leurs autorités locales et régionales respectives. Bien que la coopération transfrontalière ainsi que les ressources financières des collectivités locales entrent dans le mandat de cet organe consultatif, la conjonction de ces deux thématiques risquerait de créer précédent.

❖ La recommandation adressée directement au Comité des Ministres invite celui-ci à examiner cette question dans le cadre de son futur programme de travail en menant une étude approfondie sur le sujet. Nous sommes d'avis que ceci n'entre pas dans les compétences du Conseil de l'Europe.

❖ Nous doutons que cette organisation dispose des outils et de l'expertise nécessaires afin de mener une étude approfondie sur « la nécessité de collecter des données de manière systématique et d'élaborer des indicateurs communs sur l'intensité et la direction des flux de main-d'œuvre, les tendances démographiques, les charges des collectivités et les conséquences des différents taux d'imposition ».

❖ La réalisation d'une étude telle que celle demandée par le Congrès nous semble dépasser le mandat du Comité européen sur la démocratie et la gouvernance (CDDG).

❖ La souveraineté en matière fiscale traduit la liberté de chaque État de décider de son organisation interne dont la gestion de ses ressources.

❖ Même les dispositions de l'Union européenne ne couvrent pas l'impôt sur le revenu des personnes physiques. L'action de l'Union dans ce domaine repose davantage sur la jurisprudence de la CJUE qui veille à ce que les législations nationales soient conformes au droit de l'Union.

❖ De même, on établirait un double-emploi regrettable avec les travaux de l'OCDE qui est l'organisation de référence lorsqu'il s'agit d'élaborer des lignes directrices harmonisées et cohérentes en matière de fiscalité internationale.

❖ En outre, nous ne pouvons pas exclure que Conseil de l'Europe ne soit instrumentalisé pour faire avancer un débat auquel un terme a été mis au niveau national. Contourner ainsi les autorités nationales provoque des irritations superflues entre les membres de cette organisation. On créerait ici un lourd précédent et j'appelle les délégations à y réfléchir à deux reprises avant de jouer ce jeu.

Par conséquent, de notre point de vue, cette recommandation ne nécessite aucun suivi.

**APPENDIX V****CALENDAR OF MEETINGS IN 2019**

Dates and places of meetings are subject to availability of resources

<b>COMMITTEE/BODY</b>	<b>DATE</b>	<b>PLACE</b>
GT-DT	27-28 January	Strasbourg
GT-RE	13-14 February	Strasbourg
CDDG Bureau	9-10 March	Paris
11 <sup>th</sup> CDDG	27-28 April	Strasbourg
GT-DT	21-22 September	Strasbourg
GT-RE	28-29 September	Strasbourg
CDDG Bureau	22-23 October	Paris
12 <sup>th</sup> CDDG	3-4 December	Strasbourg