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EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE (CDDG)

IMPLEMENTATION OF THE TWELVE PRINCIPLES OF GOOD DEMOCRATIC GOVERNANCE

For information

Secretariat Memorandum
prepared by the
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Introduction

At its May 2017 meeting, the Committee examined the issue of promoting the Twelve Principles of good democratic governance at all levels: local, regional as well as national. A useful tool for member States in assessing good governance and democratic security, the Twelve Principles could also play a significant role in achieving the Sustainable Development Goals as agreed by States under the auspices of the United Nations and equally could have an important role in programmes such as the OECD Open Government Programme.

All member States were requested to present information at its December meeting on the implementation of the Twelve Principles in practice and on how the concept of the Principles is reflected in policies, reforms and initiatives in their State at all levels of government.

In response to the request by the CDDG, 18 Member States submitted – in many cases very detailed – information. While some respondents provided a more general overview in relation to all 12 Principles, some centred the information on specific Principles of concern to them. Some member states gave a detailed overview on relevant legislation, others also described the measures taken to achieve the expected results. Most responses focused on the local level and some authorities used the Twelve Principles in overall public administration reforms.

Some responses presented the promotion of Good Governance in the context of their commitments under the European Charter on Local Self-government, the implementation of the European Label of Governance Excellence (ELoGE) or their cooperation with the Centre of Expertise for Local Government Reform, notably on local finance and on public ethics benchmarking. Another member State underlined the relevance of the Twelve Principles in achieving the UN Sustainable Development Goals.

Observations by the Secretariat

The responses received illustrate that significant reforms in public administration and/or reviews of legislation are being implemented in several member States (Local Government Acts, Public Administration Reform, Civil Service Laws) and a number of new initiatives seeking to bring together and streamline existing legislation. Moreover, it appears that reforms are wider and more in-depth in countries that were most affected by the economic and financial crisis or were experiencing specific economic and demographic changes. Member States indicated that reform objectives include:

- Efficient and effective organisation and provision of services to all;
- Simplification and cost-effectiveness of public administration;
- Strengthening local (and regional) government, autonomy, and decentralisation;
- Financial sustainability for local (regional) government;
- Strengthening local democracy and participation;
- Promotion of Open Government principles/initiatives;
- Improving the well-being of those residing in the municipality and the environment in which they live.

Out of the 18 member States which responded to the CDDG request

- four informed on the implementation of all Twelve Principles,
- three gave general policy information and
- eleven reported on the use of selected Principles.

The answers received show that the following Principles are of particular concern to member States. They appear in the order of frequency of reference made to them in the responses received by the Secretariat:

- Principle 10: Sound Financial Management
- Principle 7: Competence and Capacity
- Principle 3: Efficiency and Effectiveness
- Principle 4: Openness and Transparency
- Principle 1: Fair Conduct of Elections, Representation and Participation
- Principle 12: Accountability
- Principle 8: Innovation and Openness to Change

Thus, while the 18 responses received in 2017 cannot be considered representative of all 47 member States, they are to some extent similar to the findings of the 2012-2013 study on the implementation of the Twelve Principles. This found that the prevailing priorities were efficiency and effectiveness; sound financial management; openness and transparency; participation as well as innovation and openness to change. Ethical conduct and sustainability and long-term orientation were again less prevalent. However, contrary to the 2012-2013 findings, competence and capacity and accountability received more attention with considerable emphasis on on-going training and capacity building for public officials.

The analysis of the answers highlights connections between certain Principles:

- Many countries describe their legislation and policies to promote Principle 10 - Sound Financial Management. Others give particular attention to Principle 3 - Efficiency and Effectiveness and Principle 4 Openness and Transparency respectively. It appears that in some cases the implementation of these three Principles is combined with a view to reducing costs. Two countries use benchmarking to measure performance and to identify opportunities for improvement.
- A number of countries emphasise the importance of Principle 7 - Competence and Capacity. Implementation of this Principle is closely connected with Principle 3 Efficiency and Effectiveness and Principle 12 - Accountability. Legislation and measures take concern improvement of structures and management of public administration through intermunicipal cooperation, capacity building and the use of ICT.

- Some countries provide detailed information on the implementation of Principle 1 - Fair Conduct of Elections, Representation and Participation. They highlight in this context Principle 4 - Openness and Transparency, in particular access to information to facilitate civil participation. They also underline the need for specific rules to ensure representation of different groups of the population.
- Some countries elaborate on Principle 12 - Accountability and in addition, several responses refer to this principle when describing the supervisory bodies to ensure effective implementation of laws and policies as well as complaints mechanisms accessible to citizens in fields covered also by other principles, notably Principle 3 - Efficiency and Effectiveness and Principle 5 - Rule of Law.

Action required

The Committee is invited to hold an exchange of views on the implementation of the Twelve Principles in practice and on how the concept of the Principles is reflected in policies, reforms and initiatives at all levels of government in Council of Europe member States.

This exchange could also provide insight in specific areas and trends that would merit further attention, in particular in the light of the specific tasks of the CDDG for the next biennium, notably

- Supervision of local authorities' action,
- Participation,
- Public ethics,
- E-democracy.