



Strasbourg, 6 April 2020

GT-RE(2020)4

EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE (CDDG)

WORKING GROUP ON ACCOUNTABILITY (GT-RE)

MEETING REPORT

Strasbourg, 13-14 February 2020

1. Opening of the meeting

The Secretariat welcomed the members of the Working Group, who introduced themselves. The list of participants is set out in Appendix I.

2. Election of the Chair and Vice-Chair

The Working Group elected Mr Paul-Henri PHILIPS (Belgium) as Chair, and Mr Georgios CHRYSAFIS (Greece) as Vice-Chair.

3. Agenda

The agenda was adopted as set out in Appendix II.

4. Terms of reference

Ms Sonia SIRTORI, Head of the Democratic Governance Division (DGII), presented the terms of reference and the timeline for the work of the group, as approved by the CDDG. She explained that the CDDG was entrusted with drafting a recommendation on democratic accountability of elected officials and bodies at local and regional level, and that it had decided to set up the working group for the purpose of carrying the relevant preparatory work.

She recalled that a restricted access webpage would be set up to enable members of the working group and the CDDG to share information and make progress in relation to accomplishing the specific task in between meetings.

5. Drafting a recommendation for the Committee of Ministers on democratic accountability of elected officials and bodies at local and regional level

Mr Daniel POPESCU, Head of the Democracy and Governance Department, recalled previous work done by the Council of Europe in relation to the supervision and liability of local elected officials and bodies. Before presenting the working documents for the meeting, he evoked the recent adoption of the Recommendation CM/Rec(2019)3 on the supervision of local authorities' activities and stressed that the Committee of Ministers were to consider soon adoption of the Guidelines on Public Ethics. The future Recommendation on democratic accountability of elected officials and bodies at local and regional level will complete these standards.

The Working Group held an exchange of views under the form of a *tour de table* on the mechanisms of engaging the accountability of elected officials and bodies at local and regional level in their respective countries. Some members expressed interest in receiving the replies to the Rapid Response Service questionnaire on "Intervention policy" (of central government vis à vis acts and performance of local authorities) prepared by the delegation of the United Kingdom.

The Working Group heard a presentation by Mr Pierre GARRONE, Head of the Division of elections and political parties, on the Venice Commission "Report on the recall of mayors and local elected representatives" (adopted in 2019, [CDL-AD\(2019\)011rev](#)). The presentation was followed by a short questions and answers session.

The Working Group examined document GT-RE(2020)2, containing a list of questions intended to guide the preparatory work and the possible general shape of the future Recommendation. The members engaged in a discussion focused on several issues:

- a. defining the terms "accountability" and "democratic accountability", also comparatively to the terms "liability" and "responsibility";
- b. discussing the holder(s) of accountability, i.e. a person or an institution/body;
- c. envisaging the scope: civil, criminal, financial, democratic;
- d. discussing before whom accountability might be engaged: the electorate, a court;
- e. considering the possible actions: statement, recall, referendum, resignation, dismissal.

The members were invited to inform the Secretariat about any remarks they might have regarding the list of questions as presented in the document.

The Finnish representative gave a presentation on the responsibility of the municipal self-governments and local councils, and the Finnish alternative way to the "recall".

Mr Daniel POPESCU presented the outcomes of a meeting in 2019, with Ukrainian and international stakeholders on the accountability of local elected representatives in Ukraine. Those outcomes appear in document GT-RE(2020)3.

The members were invited to send to the Secretariat by the end of March examples of case studies and pieces of legislation which might be useful during the preparatory work of the future Recommendation.

It was agreed that the draft text should be related to “democratic accountability” and therefore go beyond the recall, which is a part of the latter. Democratic accountability is more than only the recall and contains also mechanisms like for instance scrutiny.

The Working Group agreed that a study based on a questionnaire be commissioned on how accountability is dealt with in European states.

The Working Group agreed to present to the CDDG its preliminary thoughts and suggestions and to request additional time for accomplishing the task to prepare a draft Recommendation on democratic accountability of elected officials and bodies at local and regional level.

6. Other business

None.

7. Date and venue of next meeting

The next meeting of the working group will be held on 28-29 September 2020 in Strasbourg.

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

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APPENDIX II**AGENDA**

- 1. Opening of the meeting**
- 2. Election of the Chair and Vice-Chair**
- 3. Adoption of the agenda** [GT-RE(2020)OJ1]
- 4. Terms of reference** [GT-RE(2020)1]
 Information and discussion on the terms of reference, working methods and time-table
- 5. Drafting a recommendation for the Committee of Ministers on democratic accountability of elected officials and bodies at local and regional level** [GT-RE(2020)2]
 [GT-RE(2020)3]
 Overview and presentation of an expert paper by Daniel Popescu, Head of the Democracy and Governance Department, DGII
 Presentation of the work of the Venice Commission in co-operation with the Congress of Local and Regional Authorities by Pierre Garrone, Head of the Division of elections and political parties
 Case studies
 Contributions by the members of the working group
- 6. Date and place of the next meeting**
 Strasbourg, 28-29 September 2020