



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 5 August 2019

GT-EP(2019)2

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

### **WORKING GROUP ON PUBLIC ETHICS (GT-EP)**

#### **REPORT ON THE THIRD MEETING OF THE WORKING GROUP 18-19 MARCH 2019, COUNCIL OF EUROPE, STRASBOURG**

##### **1. Opening of the meeting by the Secretariat**

The CDDG working group on public ethics held its third meeting on 18-19 March 2019.

The meeting was opened by the Secretariat which informed participants that the Chairman of the working group, Mr Paul-Henri Philips, was unable to attend this specific meeting of the working group. He would resume his function at the next meeting of the working group.

The Secretariat presented the regrets of the expert, Mr Yves-Marie Doublet, who was prevented from participating in the meeting.

##### **2. Election of the Vice-Chair**

The Secretariat recalled that at the first meeting of the working group Mr Paul-Henri Philips (Belgium, Brussels-Capital Region) and Ms Rikke Marie Rud (Denmark) were elected chair and vice-chair respectively.

Ms Rikke Marie Rud could no longer participate in the working group and in the absence of the Chair it would therefore be necessary to elect a vice-chair for this meeting.

Mr Paul Rowsell was elected acting chair for this meeting of the working group.

### **3. Adoption of the agenda**

The agenda was adopted as set out in Appendix I. Appendix II contains the list of participants.

### **4. Terms of reference of the working group for 2019**

The Secretariat recalled the terms of reference of the working group.

### **5. Guidelines on Public Ethics**

Mr Paul Rowsell introduced the discussion by recalling the work accomplished so far by the working group and the instructions it had received from the CDDG with regard to the preparation of the Guidelines on public ethics:

"At its meeting on 28-30 November 2018,

...

- The CDDG confirmed that the Guidelines on public ethics could begin with a preamble and recommendations to governments on principles and legislation. The Appendix would then set out concrete measures in relation to securing high standards of ethical conduct across the public sector, paying specific attention to selected questions such as:
  - o public ethics measures for different types of public officials, including politicians (elected representatives, members of government), appointed top executives and holders of judicial office, differentiated according to their functions and levels of responsibility and proportional to them;
  - o public ethics measures for political parties in public life, their internal democratic organisation;
  - o public ethics measures for the local and regional levels, including the relations between local elected representatives and civil servants and the coordination with the central level.

He outlined the tasks to be accomplished by the working group at this meeting, i.e.:

- examine the draft Guidelines and make drafting proposals, and
- give clear instructions to the Secretariat to prepare with the expert revised draft Guidelines on public ethics for the next meeting of the Working Group.

It was proposed that the working group should first examine the Appendix and subsequently the recommendations for action by member states' governments before addressing the preamble. He further reminded the members that "It is envisaged to present the Guidelines to the CDDG at its meeting on 9-11 December 2019."

- **Presentation of the draft guidelines on public ethics by the expert, Mr Yves-Marie Doublet**

Mr Rowsell presented a short introduction to the draft Guidelines on public ethics prepared by the expert as set out in document GT-EP(2019)1.

- **Exchange of views**
- **Drafting proposals by working group members**

The working group welcomed the quality of the comprehensive draft which built on relevant Council of Europe standards and covered all areas requested by the CDDG.

In its opinion, “public ethics measures for political parties in public life, their internal democratic organisation” should not be part of the Guidelines because of the practice of self-regulation of political parties.

It also underlined that the Venice Commission had prepared a [Code of Good Practice in the field of Political Parties](#), CDL-AD(2016)021, adopted by the Venice Commission at its 77th Plenary Session (Venice, 12-13 December 2008) and its explanatory report adopted by the Venice Commission at its 78th Plenary Session (Venice, 13-14 March 2009).

The working group examined the draft guidelines chapter by chapter and made detailed proposals for revision. The UK delegation volunteered to prepare, based on the results of the discussions, a revised draft. This draft would require further finetuning in cooperation with working group members and the expert for submission to the CDDG Bureau meeting on 24 May 2019.

The Bureau should examine the draft and give the working group further guidance for finalising the draft at its next meeting.

It would be the last meeting of the working group when it would also deal with the outstanding issues resulting from specific task iii of its terms of reference in the field of public ethics, i.e.:

- aligning the draft Management Guide on “Steps to implementing public ethics in public organisations” with the draft Guidelines on public ethics; and
- “carry out a feasibility study on the preparation of a Council of Europe indicator framework to identify trends with regard to public ethics and to allow member States to assess their performance.”

**6. Conclusions**

The acting Chair recalled the action points decided. The Secretariat was instructed to prepare a revised draft text for comments by the members of the working group. This revised draft would be presented for consideration by the CDDG Bureau at its meeting on 24 May 2019.

**7. Other business**

None

**8. Date and place of the next meeting**

The Secretariat recalled that the meeting foreseen for 17-18 June in Strasbourg might have to be rescheduled for September in light of the various constraints facing the Council of Europe. Members would be informed in writing as soon as possible.

**APPENDIX I****AGENDA**

- 1. Opening of the meeting by the Secretariat**
- 2. Election of the Vice-Chair of the Working Group**
- 3. Adoption of the agenda** [GT-EP(2019)OJ1]
- 4. Guidelines on Public Ethics**
  - Presentation of the draft guidelines on public ethics by the expert, Mr Yves-Marie Doublet [GT-EP(2019)1]
  - Exchange of views
  - Drafting proposals by working group members
- 5. Conclusions**
- 6. Other business**
- 7. Date and place of the next meeting**  
17-18 June 2019, Strasbourg

**APPENDIX II**  
**LIST OF PARTICIPANTS**

**CHAIRMAN / PRESIDENT**

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*(Apologised for absence / Excusé)*

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