



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 21 October 2019

GT-EP(2019)7

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

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

**REPORT ON THE FOURTH MEETING OF THE WORKING GROUP
16-17 SEPTEMBER 2019, COUNCIL OF EUROPE, STRASBOURG**

Secretariat Memorandum
prepared by the
Directorate General of Democracy
Democratic Governance Department

*This document is public. It will not be distributed at the meeting. Please bring this copy.
Ce document est public. Il ne sera pas distribué en réunion. Prière de vous munir de cet exemplaire.*

The Chair, Mr Paul-Henri Philips (Belgium, Brussels-Capital Region), opened the meeting. He introduced Ms Sonia Sirtori, new Head of the Good Governance Division. He also welcomed Mr Yves-Marie Doublet, expert consultant, and Mr Gianluca Esposito, Executive Secretary of the Group of Experts against Corruption (GRECO). The agenda was adopted as set out in Appendix I. Appendix II contains the list of participants.

Mr Esposito thanked the Chair for the opportunity to address the working group for the second time. The elaboration of Guidelines on public ethics were of paramount importance, especially if they could be used by GRECO in its monitoring work.

Mr Doublet supported Mr Esposito's words. He recommended that the working group take into account the findings of GRECO monitoring, as instructed by the Committee of Ministers, and consolidate in one single, in-depth, accurate and comprehensive text the Council of Europe standards in the area of public ethics which were scattered in different documents.

The Chair thanked both speakers and recalled that Mr Doublet would be present for most of the meeting and would be able to take part in the discussions.

He invited members to proceed with the consideration of the draft Guidelines on public ethics. He recalled that, in his absence, the third meeting of the working group had been chaired by Mr Paul Rowsell (United Kingdom). On this occasion, the working group had modified the draft which had been previously submitted by Mr Doublet. Later, at its meeting of 23-24 May 2019, the Bureau of the CDDG had supported the approach of the new draft that the Guidelines should be a high-level statement of principles rather than a code. In addition, the Bureau had made a few drafting suggestions, which had been shared with all the members of the working group.

The Secretariat listed the documents which were included in the files recalling that, a few days prior to the meeting, Mr Rowsell had circulated a new version of the draft Guidelines taking onboard a number of comments, as a way to facilitate the discussion.

The working group decided to use, as a basis for its work, the document which had recently been circulated by Mr Rowsell.

After a general discussion, the working group carried out a detailed examination of the draft Guidelines on public ethics and gave concrete instructions for the finalisation of the text. It decided that the draft Guidelines would be submitted to the working group for approval by written procedure by early October 2019.

As regards the Guide on public ethics, the Chair recalled that, at its November meeting in 2018, the CDDG had provisionally approved its text. He opened the general discussion on the Guide. It was highlighted that some comments and proposals that had been made after the November 2018 meeting had not been included; that the language of the Guide needed editing; that examples were outdated and did not take into account the results of the GRECO monitoring; that definitions and notions should be reviewed to be aligned to those which were used in the draft Guidelines.

The working group then carried out a detailed examination of the draft Guide on public ethics and gave concrete instructions for the finalisation of the text. It also instructed the Secretariat to add example drawn from the document Greco(2019)5 – Codes of conduct for public officials. GRECO findings and recommendations. The working group instructed the Secretariat to revise the Guide in the light of the agreed changes and transmit it to the members of the working group by the beginning of October, for members to have time to add examples or propose amendments. The text would be subsequently submitted for final approval to the members of the working group by written procedure, ahead of the meeting of the Bureau of the CDDG, to be held on 24-25 October 2019.

The Secretariat pointed out that given the tight deadlines and the amount of work which was necessary it would not be possible to have the draft Guide translated into French in time for the Bureau meeting. The Secretariat also informed the working group that, should it be necessary to finalising work, the resources to hold an additional meeting of the working group or a more restricted group would be put made available.

The Chair took note and added that an additional meeting should be only a last resort.

The Chair opened the discussion on the feasibility study on the preparation of a Council of Europe indicator framework on public ethics. The Secretariat summarised the replies to the questionnaire. A discussion ensued during which the working group instructed the Secretariat to draft a feasibility study summarising the gist of the discussions that the working group had had, the replies to the questionnaire, and indicating how the public ethics benchmark of the Centre of Expertise for Good Governance could be used as a reference to set up indicators that the central authorities could use as a self-assessment tool.

The Chair thanked all participants as well as the interpreters. He closed the meeting.

APPENDIX I

AGENDA

1. **Opening of the meeting**
2. **Adoption of the agenda** [GT-EP(2019)0J2]
3. **Report of the third meeting of the working group** [GT-EP(2019)2]
4. **Guidelines on Public Ethics and Revision of the 2004 Handbook of Good Practice on Public Ethics at Local Level**
 - a) **Guidelines on Public Ethics** [CDDG-Bu(2019)2] +
[GT-EP(2019)3 bil] +
[GT-EP(2019)4 bil]
 - Presentation of the drafting proposals by the working group members
 - Observations by the expert, Mr Yves-Marie Doublet
 - Exchange of views and finalisation
 - b) **Draft 'Practitioners' Guide on Public Ethics**
 - Presentation of the drafting proposals by the working group members [GT-EP(2019)5]
 - Observations by the expert, Mr Alan Doig
 - Exchange of views and finalisation
5. **Replies to the questionnaire to member States on a possible Council of Europe indicator framework to identify trends and to allow member states to assess their performance in relation to public ethics** [GT-EP(2019)6]
6. **Conclusions**
7. **Other business**

APPENDIX II
LIST OF PARTICIPANTS

CHAIRMAN / PRESIDENT

M. Paul-Henri PHILIPS, Coordinateur pour les Organisations Internationales, Bruxelles International, Relations multilatérales et Organisations Internationales, BRUXELLES, Belgium
E-mail : pphilips@sprb.brussels

AUSTRIA / AUTRICHE

Mr Peter ANDRE, Expert for Legal Affairs, Ministry of Interior, WIEN, Austria
E-mail: peter.andre@bmi.gv.at

BELGIUM / BELGIQUE

Mr Edwin LEFEBRE, Ministry of the Flemish Community, Agency for Home Affairs, BRUSSELS, Belgium
E-mail: Edwin.lefebvre@kb.vlaanderen.be

BULGARIA / BULGARIE

Mr Valery NAYDENOV, Head of Department "Administrative territorial structure", Ministry of Regional Development and Public Works, SOFIA, Bulgaria
E-mail: vnaidenov@mrrb.government.bg

Mr Mihail VASILEV, Department "Administrative territorial structure", Ministry of Regional Development and Public Works, SOFIA, Bulgaria
E-mail: mvasilev@mrrb.government.bg

DENMARK / DANEMARK

Mr Jesper SCHAUMBURG-MÜLLER, Head of Division, Agency for the Modernisation, Ministry of Finance, COPENHAGEN, Denmark
E-mail: jessc@modst.dk

Ms Anne Hjeds KEITH, Agency for the Modernisation, Ministry of Finance, COPENHAGEN, Denmark
E-mail: anhjk@modst.dk)

FINLAND / FINLANDE

Mr Markku MÖLLÄRI, Ministerial adviser, Department for Local Affairs and Regional Administration, Ministry of Finance, Mariankatu 9, PO Box 28 FI-00023 GOVERNMENT FINLAND
Tel: +358 40 568 1492; E-mail: markku.mollari@vm.fi

Ms Anna GAU, Senior Specialist, Legal Affairs, Ministry of Finance, HELSINKI, Finland
E-mail: anna.gau@vm.fi

GEORGIA / GEORGIE

Ms Eka SEPASHVILI, Adviser to the Minister of Regional Development and Infrastructure on development of local democracy and good governance, TBILISI, Georgia

E-mail: e.sepashvili@mrdi.gov.ge

GREECE / GRECE

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

E-mail: g.chrisafis@ypes.gr

ITALY / ITALIE

Mr Francesco GIUSTINO, Presidenza del Consiglio dei Ministri, D.A.R.A. - Ufficio Attività Internazionali, ROMA, Italy

E-mail: f.giustino@palazzochigi.it

LITHUANIA / LITUANIE

Apologised for absence / Excusé

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Ms Michaela BUJNOVÁ, CoE desk officer, Ministry of Interior, BRATISLAVA, Slovak Republic

E-mail: michaela.bujnova@minv.sk

Mrs Ivana ŠOSTÁKOVÁ, Office of the Civil Service Council, BRATISLAVA, Slovak Republic

E-mail: ivana.sostakova@vlada.gov.sk

UNITED KINGDOM / ROYAUME-UNI

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

E-mail: Paul.Rowsell@communities.gov.uk

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

Email: siobhan.smyth@communities.gov.uk

OTHER PARTICIPANTS / AUTRES PARTICIPANTS**PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLEE PARLEMENTAIRE DU CONSEI DE L'EUROPE**

Apologised for absence / Excusé

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

Mr Stephen GATT, Counselor in Balzan Local Council, Malta, Vice-President of the European Union of Jesuits Alumni
E-mail: stephengatt430@hotmail.com

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

Mr Andrew DAWSON, Member of the Governance Committee, Congress of Local and Regional Authorities, CHESTER, United Kingdom
E-mail: Andrew.dawson@cheshirewestandchester.gov.uk

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
Tel: (33) 3.88.41.35.73; E-mail: tim.lisney@coe.int

Mr Kjartan MAGNUSSON, Secretariat of the Governance Committee / Secrétariat de la Commission de la gouvernance
Tel: (33) 3.88.41.28.24 ; E-mail: kjartan.magnusson@coe.int

Ms Nicole LIEB, Study visitor, Research Associate, Faculty of Law, University of Munich, Germany

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

Apologised for absence / Excusé

VENICE COMMISSION / COMMISSION DE VENISE

Apologised for absence / Excusé

OBSERVERS / OBSERVATEURS

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

Apologised for absence / Excusé

EXPERT-CONSULTANTS / CONSULTANT-EXPERTS

M. Yves-Marie DOUBLET, PARIS, France
E-mail : ymdoublet@assemblee.nationale.fr

SECRETARIAT

Mrs 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

Tel: +33 (0)3 88 41 23 70; E-mail: sonia.sirtori@coe.int

Mr Theo WELS, Administrator / Administrateur – 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

Tel: +33 (0)3 90 21 53 04 ; E-mail: theo.wels@coe.int

Mme Isabelle ETTER - Assistant / Assistante

E-mail : isabelle.etter@coe.int

*
* * *

Mr Gianluca ESPOSITO, Executive Secretary / Secrétaire exécutif - Secretariat of the Group of States against Corruption (GRECO) / Secrétariat du Groupe d'Etats contre la corruption (GRECO)

Tel: +33 (0)3 88 41 28 41; E-mail: Gianluca.esposito@coe.int

Interpreters / Interprètes

M. Luke TILDEN

M. Christopher TYCZKA

Mme Cynera JAFFREY

Mme Clarissa WORSDALE