

COUNCIL OF EUROPE



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GT-RE(2020)1

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

**WORKING GROUP ON ACCOUNTABILITY
(GT-RE)**

TERMS OF REFERENCE

As approved by the CDDG at its 10th meeting

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

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1. INTRODUCTION

At their 1361st meeting (19-21 November 2019), the Ministers' Deputies adopted the Programme and Budget of the Council of Europe for 2020-2021, and the Terms of Reference of the intergovernmental committees, including those of the European Committee on Democracy and Governance (CDDG) for the same biennium.

According to the Terms of Reference, le CDDG is entrusted to "*steer the Council of Europe's intergovernmental work in the field of democracy and democratic governance and advise the Committee of Ministers in its field of competence, taking due account of relevant transversal perspectives. The **overall aim** of the CDDG is to contribute to strengthening democratic institutions, public administration reform, decentralisation and good governance, with particular emphasis on enhancing citizens' participation and strengthening public ethics. The CDDG will also work on meeting the challenges raised and using the opportunities offered by technological development to strengthen governance and democracy and citizens' trust in them*".

In the framework of its terms of reference, the CDDG is entrusted to carry out, among others, the following specific task related to democratic accountability of elected officials and bodies at local and regional level:

- i. Draft a recommendation for the Committee of Ministers on democratic accountability of elected officials and bodies at local and regional level with a view to complementing Recommendation CM/Rec(2019)3 on the supervision of local authorities' activities and updating previous work in this area.*

2. TERMS OF REFERENCE

With a view to ensuring the efficient and successful completion of the task, at its 10th meeting (9-11 December 2019), the CDDG decided to set up a working group as subordinate body to deal with the preparatory work of the future recommendation to complete [Recommendation CM/Rec\(2019\)3](#) on the supervision of local authorities' activities and update previous work in this area.

The following background documents may guide the work of the GT-RE:

- the Report on the recall of mayors and local elected representatives, adopted by the Council for Democratic Elections (65th meeting, Venice, 20 June 2019) and by the Venice Commission (119th Plenary Session, Venice, 21-22 June 2019), [CDL-AD\(2019\)011rev](#);
- [Recommendation No. R \(99\)8](#) of the Committee of Ministers on the financial liability of local elected representatives for acts or omissions in the course of their duties;
- [Report](#) on Liability of local elected representatives for acts or omissions in the course of their duties (CDLR, 1998);
- [Recommendation No. R \(84\)15](#) of the Committee of Ministers relating to public liability.

Given that the subject matter is well defined and specific, the GT-RE is asked to finalise its work in two meetings to be held in 2020.

3. WORKING METHODS

In general, working groups should build on existing standards and achievements of the Council of Europe and on the existing practice and standards in member states. They should take into account relevant activities by other organisations with a view to identifying the added value of the Council of Europe's work. They may rely on the contribution of expert consultants. Civil society should be closely associated in the work if necessary and as appropriate.

Finally, in accordance with Resolution CM/Res(2011)24 of the Committee of Ministers on intergovernmental committees and subordinate bodies, their terms of reference and working methods, subordinate bodies should be encouraged to rely on information technologies and written consultation in their work. This is why, at its 10th meeting, the CDDG instructed the Secretariat to look into the possibility of setting up an online platform to enable all member States to follow the work of the working groups and be able to contribute to it.