

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 12 July 2021

GT-RE(2021)4

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

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

**REPORT OF THE 4th MEETING
14 June 2021, held by videoconference**

1. Opening of the meeting

The Chairman of the Working Group, Mr Paul-Henri PHILIPS (Belgium, Brussels Capital Region), opened the meeting and welcomed the participants, in particular the representative of the OECD who had recently expressed his wish to participate in the Working Group. The list of participants appears in Annex I.

2. Agenda

The agenda as set out in Annex II was adopted.

3. Drafting of a Recommendation for the Committee of Ministers on the democratic accountability of elected representatives and bodies at local and regional level

Preliminary information by the Chair, the Secretariat and the scientific expert

The Chairman recalled the background to the work with the contribution of the scientific experts - Professor Mark Philp of Warwick University (UK) and Mr Arnaud Duranthon (Senior Lecturer at the University of Strasbourg) - and informed the participants of recent changes in the CDDG Secretariat, with the departure of the Committee's Secretary to the Secretariat of the Parliamentary Assembly

The Secretariat provided an introduction to the revised draft Recommendation, and its main developments since the previous version. In particular, a first annex is now entirely dedicated to the conceptual framework of accountability and the relationships it underpins. The Secretariat also provided some guidance for the review of the draft. Dan Popescu, Head of the Democratic Governance Unit, underlined the importance of the text in the current context of frequent democratic decline.

Professor Mark Philp commented on the contribution of this new version, recalling in particular the importance of the principle of accountability for good governance; for preventing and responding to corruption and other malfeasance; for responding to breaches of procedure; and for ensuring effective governance - for example, in cases of incompetence or inaction, including by those entrusted with a scrutiny/supervisory function. He also mentioned the ambivalence of local democracy in that it can lead to more social and institutional control but also to particular forms of malfeasance, as well as the ambivalence of mutual control mechanisms that can improve governance but also paralyse it if not used in a proper manner.

Discussion of the draft Recommendation

In discussing the operative part of the Recommendation and its preamble, the working group agreed to stick strictly to the mandate of the CDDG and to remove any reference to a possible source of inspiration for accountability mechanisms at the national level. It also expressed a strong preference for a stricter call on action required from member countries (rather than promoting accountability). The group agreed that the elements of the definition of accountability in the 12 Principles of Democratic Governance should be taken up in the actions to be taken, and that these should be further articulated around the three main dimensions of accountability: the ethical and trust dimensions of institutions and elected officials, the way in which accountability is achieved and responded to, and the consequences

to be drawn. The text should also be more specific about the forms of violence that elected representatives face in practice, including verbal violence, and make reference to the media and social networks, in particular the need for responsible use of these by elected representatives and citizens. The group also agreed on some editorial adjustments.

During the review of Annex 1, beyond some editorial adjustments, it was agreed that the elements of the accountability relationship (who is accountable, why, to whom, etc.) should be reworded and refocused where necessary. The text could also take more account of certain elements on the conservation of information and documents taken from previous CDDG texts. The next version of the text should ensure consistency of certain references (e.g. to citizens and civil society).

During the discussions on Annex 2, in the light of the experience with cooperation activities carried out by the Democratic Governance Division, the importance of taking into account more mechanisms and types of national situations (dissolution/revocation of elected councils, motions of no-confidence or of censure, including constructive motions of no-confidence) was stressed. The need for safeguards in the event of the dismissal of a mayor elected by the local assembly, as well as the possibility of intervention at a higher territorial level in the event of serious failure or absenteeism on the part of a mayor or a local assembly (which would never meet, for example) were underlined. The issue of whistleblowers, which has been the subject of a specific Recommendation of the Committee of Ministers, should also be addressed. Some editorial adjustments were also agreed.

4. Other issues

The Chair invited delegations who wished and/or had suggested during the discussions that certain parts of the draft Recommendation should be reworded, to send their contributions with drafting proposals by the end of June. The Secretariat pointed out that in principle, the next revised version of the text could be presented in track changes mode provided the changes were not too numerous and the general structure of the text was now defined.

5. Date and place of the next meeting

The Working Group agreed to hold its next meeting on 13 and/or 14 September, either by video conference or in Strasbourg depending on how the health crisis develops.

ANNEX I**LIST OF PARTICIPANTS****CHAIR / PRESIDENT**

Mr Paul-Henri PHILIPS, Coordinator for International Organisations, Multilateral Relations and International Organisations, BRUSSELS

AUSTRIA / AUTRICHE

Mr Peter ANDRE, Ministry of Interior, Senior Expert for Legal Affairs, Wien, Austria

BELGIUM / BELGIQUE

Mr Edwin LEFEBRE, Ministry of the Flemish Community, Agency for Home Affairs, BRUSSELS

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Mr Kristian MALINA, Ministerial Assistant Principal, Department of Coordination of Public Administration and International Relations Ministry of the Interior of the Czech Republic

FINLAND / FINLANDE

Mr Markku MÖLLÄRI, Ministerial adviser, Department for Local Affairs and Regional Administration, Ministry of Finance, HELSINKI

GREECE / GRECE

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

Mr Athanasios ATHANASSIADIS, Expert, Directorate of Organisation and Functioning of Local Government, Ministry of the Interior, ATHENS

Mr Ioannis MATHIOUDAKIS, Head of the Independent Department of International and European Relations, ATHENS

ICELAND / ISLANDE

Mr Björn Ingi ÓSKARSSON, Department of Local Government and Regional Affairs, Ministry of Transport and Local Government, REYKJAVIK

ITALY / ITALIE

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

NORWAY / NORVEGE

Ms Nina Britt BERGE, Senior Adviser, Department for Local Government, Ministry of Local Government and Modernisation, OSLO

POLAND / POLOGNE

Ms Magda SADLAK, National Institute of Local Government

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Apologised for absence/Excused

SPAIN / SPAIN

Ms Ana Cristina LÓPEZ LÓPEZ, Joint Deputy Director for European and International Relations, General Secretariat of Territorial Coordination, Ministry of Territorial Policy and Civil Service, MADRID

UNITED KINGDOM / ROYAUME-UNI

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

Ms Siobhan SMYTH, Senior Policy Adviser, Governance Reform and Democracy Unit, Ministry of Housing, Communities and Local Government, LONDON

Mr Gurpal CHEEMA, Policy Adviser, Governance Reform and Democracy Unit, Ministry of Housing, Communities and Local Government, London

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

Mr Roman CHLAPAK, Secretary of the Governance Committee / Secrétaire de la Commission de la gouvernance

Mr Adam DRNOVSKY, Co-Secretary of the Governance Committee

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

Mr Sean DOUGHERTY, Senior adviser, OECD Network on Fiscal Relations

EXPERT-CONSULTANT / CONSULTANT-EXPERT

Prof. Mark PHILP, Department of History, University of Warwick, United Kingdom

SECRETARIAT

Mr Daniel POPESCU, Head of Democracy and Governance Department

Mr Christophe SPECKBACKER, Administrator - Democratic Governance Division

Ms Isabelle ETTER - Assistant

Interpreters / Interprètes

Mr Michael HILL

Mr Didier JUNGLING

ANNEX II**AGENDA****1. Opening of the meeting****2. Adoption of the agenda***GT-RE(2021)0J2]***3. Drafting of a Recommendation for the Committee of Ministers on the democratic accountability of elected representatives and bodies at local and regional level**

- Examination of a draft Recommendation for the Committee of Ministers on the democratic accountability of elected representatives and elected bodies at local and regional level

GT-RE(2021)3]

- Contributions from working group members, participants and experts, and exchange of views

*Other reference documents :**Compendium of responses to the questionnaire**GT-RE(2021)3 Addendum]*

- > Document [CDDG\(2021\)7](#)
- > Report of the [13th CDDG plenary meeting](#)

4. Other matters**5. Date and place of the next meeting**