

## CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

### **Resolution 79 (1999)<sup>1</sup> on political integrity of local and regional elected representatives**

*(Extract from the Official Gazette of the Council of Europe  
– June 1999)*

The Congress,

Having noted the report presented by Mr Viorel Coifan (Romania) at this session;

Referring to the terms of reference given by the Congress to the Working Group on “Political Integrity of Local and Regional Elected Representatives”;

Having regard to paragraph III,2 “Fighting corruption and organised crime” of the Action Plan adopted at the Second Summit of Heads of State and Government of the 40 member countries of the Council of Europe, especially sub-paragraph 2 calling for the rapid completion of international legal instruments pursuant to the Council of Europe’s Programme of Action against Corruption;

Noting that the Council of Europe’s Programme of Action against Corruption, adopted by the Committee of Ministers in November 1996, gives high priority to the drafting of codes of conduct for elected representatives as a means of fighting corruption;

Bearing in mind the relevant work of other sectors of the Council of Europe, the European Union, the Organisation for Economic Co-operation and Development and the United Nations on fighting corruption and promoting ethical values through codes of conduct;

Bearing in mind more particularly the work of the Multidisciplinary Group on Corruption in drafting the Criminal Law Convention on Corruption, which was opened for signature during the session of the Parliamentary Assembly of the Council of Europe in January 1999;

Also bearing in mind the conclusions of the Third European Conference of Specialised Services in the Fight against Corruption on trading in influence and the illegal financing of political parties (Madrid, 28-30 October 1998), which point in paragraph 18 to the need to promote codes of conduct for elected representatives at European level;

1. Welcomes the scale of the steps taken by the Council of Europe and other international organisations to tackle the scourge of corruption;

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1. Debated by the Congress and adopted on 17 June 1999, 3rd sitting (see doc. CG (6) 8, draft resolution, presented by Mr V. Coifan, Rapporteur).

2. Deplores the number of “sleaze” cases involving local and regional elected representatives;

3. Forcefully reasserts that all local and regional elected representatives keen to comply with the terms of the mandate given to them by the electorate have a duty to identify with the ethical values intended to govern their conduct in the performance of their functions;

4. Fully endorses the principles set out in Resolution (97) 24 on the twenty guiding principles for the fight against corruption adopted by the Committee of Ministers of the Council of Europe, and underscores the relevance of paragraph 15 of the resolution which encourages the adoption by elected representatives of codes of conduct and rules for the financing of political parties and election campaigns;

5. Emphasises the relevance of the OECD’s work on promoting ethical values in the public service and setting up an “ethics infrastructure”. In this connection, agrees that all elected representatives need to show a strong commitment to the promotion of ethical values by endorsing the principles laid down in codes of conduct;

6. Notes the relevance of the twelve ethical principles adopted by the OECD Council on 23 April 1998 to promote ethical conduct in the public service;

7. Remains convinced that, besides introducing criminal law provisions against corruption, it is essential at European level to promote minimum ethical standards common to all local and regional elected representatives in Greater Europe, both to reduce the risk of corruption and to boost the public’s confidence in local and regional policy-makers;

8. Notes that some Council of Europe member countries have started work on promoting ethical values in local government and have made this one of their priorities in cleaning up public life;

9. Observes on the other hand that some countries have made no legislative or ethical provision for informing local and regional elected representatives about the conduct required of them in the day-to-day performance of their functions;

10. Consequently urges these countries to take steps to promote codes of conduct for local and regional elected representatives, drawing on the principles set out in the draft European code of conduct for the political integrity of local and regional elected representatives (hereinafter code of conduct), as set out in Appendix to Recommendation 60;

11. Approves the draft code of conduct and the draft explanatory report thereto, as set out in Appendices I and II to the Report CG (6) 8;

12. Encourages national associations of local and regional elected representatives in the Council of Europe member states to draw up similar codes of conduct in consultation with their national governments, using the code of conduct as a model, or to adopt the code of conduct as proposed by the Congress;

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13. Accordingly encourages national associations of local and regional elected representatives in the member states to set up bodies responsible for ensuring the application of the codes and ruling, where applications are referred to them, on whether the conduct of individual elected representatives complies with the standards set out in the code. Where they exist, local and regional ombudsmen could be empowered to carry out investigations and make

recommendations to the bodies set up by national associations ;

14. To oversee the promotion of ethical values at European level, it is proposed that, having regard to the revision of the CLRAE charter, the Congress's future committee on institutional affairs deal with issues relating to the political integrity of local and regional elected representatives.