

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Resolution 79 (1999)¹ 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;

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.