

Webinar on « Promoting public ethics and preventing corruption at the local and regional level in Morocco » - Remote meeting, 19 October 2020

Speech by Andrew DAWSON, Congress thematic rapporteur on “Promoting public ethics and preventing corruption”

Check against delivery - Seul le prononcé fait foi

Distinguished representatives of national and local authorities,
Distinguished representatives of the Moroccan government,
Dear colleagues,
Ladies and gentlemen,

It is my pleasure to address you today in my capacity as the Congress thematic spokesperson on Promoting public ethics and preventing corruption at the local and regional levels.

Corruption remains today one of the major risks for governance and democracy, and a serious challenge for our local and regional authorities. With decentralisation, they are taking on increasing responsibility for public spending and the management of public funds. However, although their budgets and competences are increasing, there is often a lack of mechanisms put in place to reduce the risks of abuse.

A long-term approach is therefore needed in order for us to effectively fight corruption. It is with this in mind that the Congress roadmap of activities was developed with six thematic reports on public ethics related themes. These include the abuse of administrative resources in election campaigns, public procurement, transparency and open government, conflicts of interest and clientelism, protecting whistle-blowers, and nepotism.

Today, I would like to draw your attention to the main recommendations of those thematic reports, which I hope you will find useful in your daily work.

Open government is an umbrella term that covers a wide range of mechanisms and initiatives. In order for any government to be open and more efficient, I highlight three key conditions: [1] **Transparency**, which aims at making information available and understandable for the public; [2] **Participation**, which enables people to influence the workings of their government; and [3] **Accountability**, which gives people the opportunity to hold their government responsible for its actions.

There are numerous benefits of open government. Let me give you few examples: first, we can achieve better decision-making; second, we can increase public trust – even though transparency reveals corruption or bad decision-making which exposes government to public criticism, it has a positive effect on public trust in the long run, as it increases trustworthiness; finally, third, we can reduce corruption. With greater transparency, and reduced corruption, public services are able to fully carry out their duties.

Let me give you some elements that can be used in open government initiatives. For instance, to enhance the level of transparency, the two main mechanisms are the access to information – as a legal right provided to citizens – and open data, which enables large amounts of data to be collated, published and interrogated.

On the other hand, participatory government is one of the main focuses of open government initiatives around the world. It gives citizens more power to decide on how money is spent. In that way, local governments are playing a pioneering role with regard to open government.

I invite you all to promote the participation of citizens in local public life, by encouraging public participation in policy and decision-making processes and promoting the involvement of citizens in defining budget priorities and evaluating procurement contracts. Which I know is one key aspect of the Regionalisation reform initiated in Morocco since 2015.

Finally, as elected representatives, in particular those of us elected at local level, we are held accountable by citizens for all our decisions, and these decisions need to be made in pursuit of the best interests of our constituencies. If the citizens cannot hold their elected representatives accountable, then we would no longer have a rule of law but a rule by law.

My colleague, Marc COOLS, will speak about this in greater details in a few minutes.

As you can see, striving for open government is not always an easy process, and can sometimes be challenging for local governments.

We in the Congress need to accompany this process, which can and will facilitate the procedure towards open governance in our towns and cities. And this is exactly what we aim to do within our project in Morocco.

Another area addressed by the Congress is public procurement.

Public procurement is one of the government activities most vulnerable to corruption and numerous States are affected by the problem, albeit to varying degrees. Besides jeopardising public trust in local and regional administrations, corruption in public procurement has an extremely high cost.

This is where professional capacity and **integrity** of both local elected representatives and civil servants play a crucial role. Local authorities need well trained and empowered professionals who can carry out complex contracting in ways that look out for and protect the public interest. Local authorities should also have clear rules about what constitutes a conflict of interest for officers and elected members involved in procurement in any way.

Turning to **nepotism**, let's begin by being clear what we are talking about. It is defined as favouritism shown to relatives or close friends by those in power, for instance, by offering them a job. Such favouritism has been around since ancient times, and even, today, despite the high standards that we all claim to adhere to, we still see far too many examples of nepotism, both in the public and the private sectors.

The fight against **conflicts of interests**, as in any anti-corruption policy, aims to enhance citizens' trust and guarantee the proper use of public funds. A conflict or the appearance of a conflict of interests, typically occurs in situations where an individual has a direct or indirect personal interest that may interfere with the public interest.

As you can see, our aim in the Congress is to set standards and then to campaign for them to be applied in all of our Member States and beyond. The Congress agrees to promote ethics and fight corruption through strengthening its co-operation activities. Our activities in Morocco, which adopted a national anti-corruption strategy in 2016, are designed to provide direct support to local and regional authorities in applying all principles of public ethics on all fronts.

In addition, 20 years ago the Congress adopted a "European code of conduct for the political integrity of local and regional elected representatives". This Code quickly became an essential tool and reference text for our activities, workshops and seminars, and has proved its worth as a European Standard. Yet as times changed, it became increasingly obvious that we needed a new code to embrace the new challenges that had arisen in the field of ethics, transparency and the fight against corruption.

First, the decentralisation of public structures and the use of subcontractors have raised new issues in terms of control, oversight, or audit. In many municipalities, many of the people involved in delivering public services are now working under private law. That led to the decision to **broaden the scope of the Code to apply to all people working in the provision of public services, from elected representatives, to appointed officials and managers of public companies**. This has fundamental implications, since a Code usually applies to only one category of personnel. An integrated Code is relatively unusual, and this broad approach has been a real challenge.

A second factor is the impact of the digitalization in public affairs. The digitalisation of work process has the potential of creating more transparent processes, in the field of public procurement for instance. Yet it raises important issues about the standards necessary to protect staff and their private data.

Out of these changes, Congress members adopted a new version of the “European Code of Conduct of all Persons involved in Local and Regional Governance” in November 2018.

The Code defines the general principles that should guide the actions of persons involved in local and regional governance. We affirm that these actors should assume their public duties with integrity, act in accordance with the law and serve the public interest. They are accountable at all times for their decisions and actions.

The Code then details various principles, namely transparency, probity, respect and non-discrimination, merit, and impartiality.

This Code, together with all thematic reports I have mentioned earlier are all available in French and in Arabic, and I encourage you to make the most of them.

Dear colleagues,

Corruption is not something that can be solved overnight. This is a fight that takes time and patience and that starts at the grassroots. It is only with the help of local and regional authorities – and co-operation between them, between us - that our fight can be successful and that the standards of local democracy set out in the European Charter of Local Self-Government can be guaranteed.

Thank you for your attention.