

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 435 (2018)¹ Transparency and open government

1. Transparency and open government is one of the priority areas that the Congress of Local and Regional Authorities of the Council of Europe identified in its roadmap of activities on the prevention of corruption and the promotion of public ethics at local and regional levels that was adopted at its 31st Session, October 2016.

2. The concept of “open government” encompasses a wide range of practices, which can lead to new ways of governing, both from the governments’ and citizens’ perspective. It can promote good governance and encourage better decision making. By helping to reduce corruption or to promote more effective services, open government is a powerful tool to tackle some of the problems local democracy may face.

3. Transparency, participation and accountability, the key principles of open government, require innovation on the part of local and regional authorities in their interaction with citizens and how they manage their administrations. Transparency requires authorities to make it easier for citizens to access information, notably through open data and records management. It should go in hand with greater participation of civil society in the public decision-making process, including protection for whistleblowers. This increase in participation should also be fuelled by greater accountability of authorities, through the use of audits, codes of ethics and public scrutiny.

4. An “open government” strategy can be applied to a wide range of government activities, including not just budgeting, law making and policy making, but also areas such as contracting and service delivery, where local and regional authorities often work with partners and stakeholders.

5. In the light of the above, the Congress:

a. bearing in mind:

i. its Resolution 417 and Recommendation 398 (2017) on open data for better public services;

ii. its Resolution 421 and Recommendation 405 (2017) on making public procurement transparent at local and regional levels;

iii. the Council of Europe “Guidelines for civil participation in political decision making” (2017);

iv. the Council of Europe “12 principles of good democratic governance” (2008);

v. the Council of Europe’s “Handbook of good practice on public ethics at local level” (2004);

vi. the Code of Good Practice for Civil Participation in the Decision-Making Process (2009, Conference of INGOs of the Council of Europe);

vii. OECD Recommendation of the Council on open government (2017);

viii. the International Open Data Charter (2015), adopted at the Open Government Partnership Global Summit (Mexico, 2015);

b. convinced that open government and transparency is an opportunity for local governance to be more democratic;

c. convinced that an open decision-making process is an effectual tool to develop and apply more efficient public policies;

d. conscious of the challenges for local authorities to address all citizens, in particular those suffering from a digital gap;

e. conscious of the importance of abiding by the privacy and data protection laws;

f. calls upon local and regional authorities in Council of Europe member States to:

i. adopt and implement open government standards, in particular by:

– drawing from the main provisions of the International Open Data Charter and the Open Contracting Data Standard;

– supporting the implementation of the four principles identified in the Code of Good Practice for Civil Participation in the Decision-Making Process, namely participation, trust, accountability and independence;

ii. introduce training courses within their administrations to raise awareness on the importance of transparency, and in particular:

– organise educational activities in public institutions, such as seminars, workshops and in-service training events, to raise awareness about the benefits of open government and the importance of transparency;

– increase the use of open data and records management by their administrations, while making sure to publish these in comprehensive, accessible and reusable ways;

iii. promote the involvement and the participation of citizens in local public life, by:

– implementing measures to help citizens better understand the workings of their governments at all levels in order to secure public trust;

– encouraging public participation in their policy- and decision-making processes, taking into account the importance and relevance that civil society, including NGOs and whistleblowers, can have on the decision-making process;

– making increasing use of different forms of deliberative public engagement, such as public consultations, to inform their policy-making and decision-making processes;

– promoting the involvement of citizens in defining budget priorities and evaluating important contracts, such as those relating to large infrastructure projects;

– enabling citizens to attend city council and regional parliament sessions and set out the criteria governing their participation in such meetings;

– promoting the collection of feedback on citizens' satisfaction with public services, whether they are directly or indirectly managed by local and regional authorities;

– responding to complaints and recommendations by citizens, in order to increase public trust in local and regional governance;

iv. conduct research and consultations with different community bodies, including civil society organisations, trade unions and human resources officers, in order to devise policies best suited to local needs;

v. encourage internal, external and social audits of their administrations;

vi. ensure that measures related to transparency and open governments do not violate data protection and privacy laws;

6. The Congress commits itself to:

a. developing and promoting international open government standards applicable to local and regional governments;

b. providing technical assistance to local and regional governments to implement open government mechanisms;

c. supporting peer-to-peer exchange and learning among local and regional governments pioneering open government reforms;

d. encouraging membership of the Open Government Partnership.

1. Debated and adopted by the Congress on 7 November 2018, 2nd sitting (see Document [CG35\(2018\)14](#), explanatory memorandum), rapporteur Andreas GALSTER, Germany (L, EPP/CCE).