ETHICS IN THE PUBLIC SECTOR

There is a greater awareness of the need for professionalism, ethics, accountability and transparency in the public service today, given the pivotal role that the institution plays in the governance and development of a nation. The end of the cold war, spreading democratization, a shift in balance between the state and market forces, globalization, and changing social mores – among other factors – are altering the environment in which governments are operating. These determinants of change are challenging traditionally held values and blurring accepted standards of behaviour in public life. The explosion of new technologies in information and communication is also allowing for a rapid diffusion of ideas and practices around the globe, further contributing to a re-examination of public service values and a quest for new ways to better meet public demands.

The United Nations has responded to these challenges through conducting a number of activities, particularly within the past five years, to promote and strengthen the ideals of professionalism and ethical conduct in the public service. The Secretariat has been carrying out these activities to assist Member States to achieve a more effective public administration in the development process, as mandated by resolution 50/225 on Public Administration and Development which was adopted by the General Assembly at the 50th Resumed Session in 1996. Furthermore, in the spirit of the recommendations of the past three Meetings of the Group of Experts on the UN Programme on Public Administration and Finance, the United Nations Department of Economic and Social Affairs, Division for Public Economics and Public Administration (henceforth the Division) sponsored, co-organized, or participated in a number of regional and national conferences with numerous partners; carried out technical cooperation activities; and conducted or contributed to policy research studies. In doing so, the Division tried to leverage the Organization’s uniquely global membership and one of its all-encompassing mandates, that of fostering international dialogue and the exchange of experiences to support economic and social development at the global level.

This issue of the Development Administration Newsletter highlights the Division’s activities under the theme of public service professionalism and ethics. Some of these activities were introduced in the past issues of the Newsletter and are updated in this current issue. I would like to take this opportunity to acknowledge and thank our numerous partners who have worked with us on these initiatives and I look forward to continuing these existing and forging new collaborations.
CHARTER FOR PUBLIC SERVICE IN AFRICA

Strengthening the public service is a prerequisite to building the capacity of the State in Africa to face the many challenges of globalization and play a leading role in the development process for the whole continent. At the Third Biennial Pan-African Conference of Ministers of Civil Service, held in February 2001, in Windhoek, Namibia, 40 African countries were represented at the highest level to mark the occasion. The event resulted in the completion and adoption of a Charter for Public Service for the entire continent as well as the Windhoek Declaration.

The Charter consists of a preamble and three titles, which themselves are subdivided into parts. The preamble sets the background by describing the challenges facing the public service as an institution and outlining the framework of the Charter. Title I describes the purpose and scope of the Charter and gives definitions of the terms employed. It also establishes the role of and enumerates the democratic principles that underpin and govern the public service. Title II is a code of conduct that addresses the fundamental values of the public service, rules of conduct and modalities of implementation. Title III calls for the establishment of a regional mechanism to monitor the implementation of the Charter. (See web site http://www.unpan.org/conf_namibia01.asp for the text of the Charter and other background documents for the Windhoek Conference.)

The Charter represents the collective endeavour of governments, aided by specialists on public service matters from the Division and the African Training and Research Centre in Administration for Development (CAFRAD). The participants of the Second Pan-African Conference of Ministers of Civil Service, held in Rabat, Morocco in 1998, called for the drafting of a Charter for the Public Service in Africa. This call was made in view of the Conference deliberations over the importance of the role of the public service in good governance, which itself underpins economic and social development. The Charter is also one outcome of a recommendation of the XV Meeting of Experts on the United Nations Programme in Public Administration and Finance, held in New York in May 2000, that of asking "the United Nations (to) provide support to African Governments in the development and implementation of their Charter....at the national level and find ways to support and encourage similar initiatives in other regions."

In addition to the Charter, the Windhoek Declaration also calls for implementation activities and monitoring mechanisms to promote professionalism and ethics in the public service in Africa. Some bilateral donors have already expressed an interest in developing concrete follow-up activities. Pursuant to the thrust of this recommendation, the Division has developed a manual on professional ethics for use in African countries. The manual is intended to accompany a CD-ROM of didactic training sketches on ethical dilemmas and decision-making guidelines. These form the basis of special training courses intended to enhance the capacity in the governments to promote public service professionalism and to combat corruption. (For a description, see the article on Public Service Professional Ethics For Africa: Training Material - Manual/CD-ROM, in this issue.)

The adoption of the Charter is the end of a long process but also the beginning of a concerted pan-African campaign to restore prestige and dignity to the public service profession, to reinforce integrity in public life and raise performance levels and competence in governments.

For more information, please contact: Ms. Yolande Jemiai (jemiai@un.org); Mr. Mohamed Sall-Sao (sallsaom@un.org) or Mr. Stefan Lock (lock@un.org).

A mere decade ago this training material would not have been possible...

So it is especially fitting that, at the start of the new Millennium, the Division took the initiative to develop training material in public service professional ethics for developing countries as recommended by General Assembly resolution 50/225 on Public Administration and Development. At the request of the African civil service ministers during their second conference in 1998 in Rabat, Morocco and the third conference in 2001 in Windhoek, Namibia, the Division started developing training material for the African continent. During these meetings, the ministers pointed out that the development of ethics and professional integrity in government and the public service are indispensable, not only in the battle against corruption but also in the development of modern and effective systems of public management, which in turn would contribute to the development of the continent itself.

The Division organized a brainstorming and on-the-spot training workshop on public service professional ethics for francophone African countries with the African Training and Research Centre in Administration for Development (CAFRAD), in Tangiers, Morocco from 22 May to 3 June 2000. Other francophone countries were invited.

The resulting training material shows that professional ethics for the civil service today is a very complex matter. At a minimum, civil servants should refrain from bribe-taking, the abuse of office, self-dealing, influence-peddling and maladministration if democratic governance is to survive. However, there is increasing agreement, including at the international level, that what is needed to curb official corruption is to answer the central ethics question which confronts public officials daily. This is, “What is my ethical duty in terms of the public interest?”; the answer to which has continued to elude many.

Accordingly, the training material is based on the insights of practising professionals and scholars from a wide range of disciplines and countries. The participants also developed case studies on ethical dilemmas (e.g. nepotism, favouritism, harassment, price-fixing collusion, misappropriation of public funds, etc.) that every civil servant has to deal with.
in his or her professional life. In so doing, the participants have sought to take into account lessons learned in recent decades about how to make government administration more effective, equitable, innovative, responsive, transparent, and ethical while at the same time less arbitrary, inefficient, secretive and self-perpetuating. It is the hope of the project team that this training material, with its emphasis on action rather than theory, will prove to be of practical value to all who use it, whether for developing better macro-systems of public governance or for finding competent and defensible answers to specific professional ethics dilemmas in the public service.

The training material does not only address managerial effectiveness, efficient service delivery, and accountability for the use of public resources, important as these matters undoubtedly are, it also considers the fundamental concerns of ethical government and public administration. Both elected and appointed public officials everywhere are encouraged to use the training material as it is intended and to suggest improvements. See web site http://www.unpan.org/training-materials.asp.

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First Report on Public Service Ethics in Africa Study Published

In response to a call for promoting professionalism and ethics at the Second Pan-African Conference of Ministers of Civil Service and for the need to contain corruption at the Second African Governance Forum on Accountability and Transparency, both held in 1998, the Division launched the Public Service Ethics in Africa study (also described in a past issue of the Development Administration Newsletter, Vol. 98). A Support to Policy and Programme Development project, the study was funded by the Regional Bureau of Africa, United Nations Development Programme.

The overall aim of the study is to assist African governments to improve the management of ethics and conduct in their public services. For this purpose, comparative information on current legislation, policies, programmes and practices from the participating countries was compiled, to highlight gaps and best practices, which can serve as a basis to introduce new or improve existing ethics policies and programmes at the national level. The study involves ten countries: Cameroon, Gabon, Ghana, Kenya, Madagascar, Namibia, Nigeria, Senegal, South Africa, and Uganda. These countries were chosen to ensure broad representation of the cultural and linguistic diversity in Sub-Saharan Africa.

The conceptual framework of this study is the description of the specific “ethics infrastructure” in each country, that is, sets of rules, institutions and practices that are in place to guide, manage and enforce good conduct in the public service. The concept of an “ethics infrastructure” was initially developed by the Organisation for Economic Co-operation and Development (OECD) but modified by the Division in order to reflect the African context. The research at the country level, conducted by national consultants, was supported by a detailed standardized questionnaire and research guidelines. The questionnaire focused mostly on publicly available statistics, and legal and administrative data and documents.

The Division published Volume 1 of the final project report in January 2001. Volume 1 presents an overview of the study findings from which other Sub-Saharan countries can draw lessons. Volume 2, to be published later this year, compiles country-level reports, which have been provided by the national consultants, highlighting the individual contexts and concerns of the participating countries. Both volumes and other supporting information can be downloaded from the project’s Internet web site (http://www.unpan.org/ethics), which is part of the United Nations Online Network on Public Administration and Finance (UNPAN). An interactive data-
base containing the survey data on which the empirical findings of the final report are based will also be released later this year.

The research processes for this project was guided by a project steering group which met twice in the region, 1999 in Durban and 2000 in Kampala. Its membership included representatives from key African regional organizations, Transparency International, and the UN system.

As follow up to the research, the Division would like to organize, in cooperation with the UNDP Country Offices, consultative meetings with representatives of relevant government and non-governmental organizations in the participating countries. The aim of these meetings is to continue and sustain the discussion of public service ethics at the country level, based on the recommendations made by the project. A first such meeting was held in South Africa in February 2001.

Briefly, the central findings of the study suggest a need for the following:

- Capacity-building for an improved collection of basic public service statistics.
- Improvement of public salary structures, where appropriate: decompression, inflation adjustment and competitiveness with the private sector.
- Communication of values and standards and training in public service ethics on a continuous basis.
- More explicit addressing of nepotism and nepotism in public service standards and guidelines.
- Adequate addressing of new areas of concern such as movement to the private sector, post employment and lobbying. It is recommended that national governments in Africa observe future developments and prepare appropriate regulations.
- More policy and impact analysis in the field of management activities for the enhancement of ethical values and standards in the public sector.
- Clear and visible enforcement of disciplinary measures and sanctions in daily administrative practice.
- Appropriate training of managers and supervisors in disciplinary procedures and measures.
- Strengthening and expansion of disclosure systems, establishment of verification and sanction procedures.
- Simplification of reporting procedures, both internally for public servants and externally for the general public.
- Provision of sufficient protection for public servants willing to report misconduct.
- Inclusion of the private sector and civil society as partners of national governments in ethics and anti-corruption policies.
- Acceptance of the public reporting and oversight function of private media.

For more information, please contact: Ms. Elia Armstrong (armstronge@un.org) or Mr. Stefan Lock (lock@un.org).

Project Steering Group Meeting, Durban, South Africa, October 1999.
Left to right: M. Benabdallah (Morocco), Stefan Lock (UN DESA), Aboubakry Ba (AID), Pauline Tamesis (UNPD), Fred Schenkelaars (UNDP), Elia Armstrong (UNDESA), Ambassador Daniel Antonio (OAU), Nadia Motii (Rabat Steering Group), Aileen Marshall (GCA), Howard Whitton (TI), Findlay Sama Doh (AAPAM).
Missing from picture: Brigitte Strobel (UN ODCCP), Mohamed Sall Sao (UNDESA)
INTERNATIONAL SEMINAR ON ETHICS IN PUBLIC SECURITY
(SEMINARIO INTERNACIONAL DE ETICA EN SEGURIDAD PUBLICA)

Recently, training programmes and workshops on ethics have multiplied world wide, attesting to the importance and gravity of the issue. What takes on a special interest in this campaign is its global dimension and the attention that cross-border relations between institutions and peoples have received in the exploration of public service ethics. The recent Seminario Internacional de Etica en Seguridad Publica in Toluca, Mexico was no exception in this regard. Held in the impressive halls of the Universidad Autonoma del Estado de Mexico on 9–10 March 2001, it was addressed primarily to public servants of Mexico, both federal and state, notably those responsible for the police and public security. Nevertheless, the Seminar encompassed a substantial international dimension, which was emphasized by the presence and participation of several non-Mexican presenters and discussants, including from the Division.

Given the composition of the audience, the topics of discussion centred largely around the problems of police relations with citizens, the treatment of delinquents, correctional facilities, due process and the rule of law. What made an impression, however, were the prominence accorded to international practices in this regard and the keen interest shown by Mexican participants in broader trends and practices world wide. Particular attention was paid to training and development and the related issues of professional ethical guidelines (deontología y axiologia).

How do we enhance the level of public service performance and raise its standards and values? That was the problem and the challenge, which Seminar participants faced. The issue is multi-faceted, given the very composition of the public service, which, as was pointed out, is not one profession but many. Even a limited field such as social protection and public security does not escape the impact of diversification. Yet, it is also true that government professionals share many things in common. They work in a relatively uniform institutional and legal framework, under similar conditions. In addition, the spread of democracy and the rise in the recent decades of a vibrant civil society have added to the assertiveness of citizens’ demands and raised their expectations in terms of both the quality of public services and the behaviour of public servants in their relations to the citizens.

The problem, as most participants saw it, lies partly in the inadequacy of pay and career structures in the public service, including security services. A direct outcome of this is the rapid turnover of personnel, many of whom remain in office for periods of less than a year. Too often the period of service is not long enough either to foster commitment, or to allow an officer to internalize the values of the profession which he or she has joined.

A related issue which many participants raised was the value system prevalent in the society at large. Most professions, but the public service especially, are profoundly rooted in the socio-economic and political environment in which they operate. Career structures shelter them from the vagaries and pressures of changing circumstances, but only up to a point. With feeble career structures and very rapid turnover of personnel, it is difficult to establish the requisite commitment to high professional standards and ethical values. Seeking to enforce these values chiefly through punitive sanctions has seldom been effective. The values that are prevalent in society at large are ultimately decisive. In the words of one participant, “social prevention is social welfare” (prevencion social es bienestar social).

For more information, please contact: Mr. Demetri Argyriades (argyriades@un.org).

Anti-Corruption Summit 2000

The Director of the Division made a presentation on Anti-Corruption Crusades Often Fail to Win Lasting Victories: Why? at the Anti-Corruption Summit 2000.
This event that was attended by over 300 participants from 51 countries and was held from 21 to 23 September 2000 in Arlington, Virginia. The Summit was sponsored by USAID as part of its Latin America and the Caribbean Bureau’s regional Americas’ Accountability/Anti-Corruption Project (AAA).

In his presentation, the Director acknowledged that anti-corruption crusades often fail for political and administrative reasons. Politically, if a government is simply going through the motions to please donors, if it uses such crusades as political persecutions of its opponents, if it does not take the time to get the participation of its civil society partners, or if there is a transition of power or a shift in political priorities, anti-corruption efforts will fail. Administratively, if donors and recipient governments try to apply “wholesale” solutions from other countries, if reformers become fatigued by working out the tedious details of anti-corruption measures, or if unintended effects of such crusades end up in an automatic and unthinking reaction to rolling back the reform measures, then the crusades will be halted.

The Director illustrated these points with examples from current events. He concluded that anti-corruption crusades alone do not work, but they have to be part of a comprehensive strategy that takes a long-term view to bring about reform and changes.

Highlights of the other speakers at the Summit included presentations made by Stuart Eizenstat, the Deputy Secretary of the US Treasury, Daniel Kaufmann of the World Bank Institute, Paul van Buitenen of the European Commission, and Jack Blum, a private attorney who specializes in international investigations of money laundering. The first three hours of the Summit was broadcast live over the Internet. For conference papers and other background information, see the Summit’s web site at: http://www.respondanet.com/english/conference section.

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2000 US Government Ethics Conference

The United States Office of Government Ethics holds an annual conference to update the executive branch of the US Government’s ethics officials on the most recent developments in the government ethics area. Officials attend and participate in a mix of general plenary sessions and smaller concurrent sessions. These sessions provide ethics officials with an opportunity to meet and discuss common issues and problems and to share resolutions and solutions.

The Division was asked to make a presentation at the 10th annual conference, held from 11 to 14 September 2000 in Philadelphia, Pennsylvania and attended by about 500 ethics officers. The Division participated on the panel on Assessing Progress in International Anti-Corruption Programs, which dealt with the difficulty of evaluating these programmes. In view of the fact that anti-corruption programmes around the world are receiving increasing attention, the panel discussed the importance of having indicators of success, be they number of corruption convictions or anti-corruption conventions. During the presentation by the Division, the point was made that many regions of the world still do not have basic levels of information on anti-corruption policies, programmes and practices in place, a fact which would make such a measurement difficult. To illustrate this point, the findings of the Public Service Ethics in Africa study were presented (described in the article, First Report on Public Service Ethics in Africa Study Published, in this issue).

Richard Werksman of the US State Department moderated the panel. Daryl Balia of the South African Public Service Commission and Stuart Gilman of the US Office of Government Ethics made other
presentations. For more information on the conference, see the conference web site at http://www.usoge.gov/pages/conference/conference.html or contact Ms. Elia Armstrong (armstronge@un.org).

Ethics in the New Millennium – Bridging the Public and Private Sectors

The International Institute for Public Ethics (IIPE) held its conference for 2000 in Ottawa, Canada from 24 to 28 September. The IIPE is an international professional association for practitioners and scholars working in the field of public sector ethics. Its prime objective is to develop an international and professional community of public sector ethicists and to offer support for scholars and practitioners in the field. The IIPE has taken over the previous biennial international public service ethics conferences, of which the last was held in the Netherlands in 1998.

The Ottawa conference attracted about 300 international experts on public and private sector ethics from developed and developing countries and was chaired by Howard Wilson, the Ethics Counselor of Canada. The conference sought to explore common ground between public and private sectors in managing ethics through sharing information and experience in issues such as ethical risks, ethics training programmes, core competencies for ethics practitioners, codes of ethics, social audits, among others.

The Division, jointly with the Organisation for Economic Cooperation and Development (OECD) Public Management Service (PUMA), organized a workshop on Enhancing Ethics in the Public Service: Measures and Lessons from OECD and African Countries. It presented the preliminary findings and demonstrated the database of the Public Service Ethics in Africa study (see web site http://www.unpan.org/ethics). Janos Bertok of OECD PUMA also presented the preliminary findings of the OECD’s latest public sector ethics survey, Trust in Government: Ethics Measures in OECD Countries (see web site http://www.oecd.org/puma/ethics/index.htm).

In comparing the findings of the two studies, some similarities and contrasts could be observed. For instance, both studies had addressed the identification of core values in the public service. For the OECD sample, the top three values were identified to be impartiality, legality, and integrity – in that order – while the Sub-Saharan African sample identified and ranked impartiality, integrity, and equality. It is interesting to note that impartiality is identified to be the top value for both regions and that integrity also appears among the top three. The difference is that legality does not appear at all for the Sub-Saharan African sample and equality ranks much lower in the hierarchy of values identified by the OECD sample. Since these values form the bedrock of the public service profession, such a regional comparison is useful in distilling one dimension of universal commonalities and identifying regional differences.

For more information, please contact: Ms. Elia Armstrong (armstronge@un.org); Mr. Stefan Lock (lock@un.org).
List of relevant publications from the Division

Public Service in Transition: Enhancing its Role, Professionalism, Ethical Values and Standards (1999), ST/ESA/PAD/SER.E/77
This volume is the outcome of a regional conference on the countries-in-transition in Central and Eastern Europe that focused on the need to enhance the role, professionalism, ethical values and standards of their public services. The conference was held in Thessaloniki from 17 to 20 November 1997. The Division, the United Nations Development Programme (UNDP) and the Government of Greece, which hosted this event, organized the Conference. This publication contains the background papers, a summary of the country papers, reports of the working groups, various speeches, list of participants and the annotated programme.

Promoting Ethics in the Public Service (2000), ST/ESA/PAD/SER.E/8
This report is the product of a policy dialogue, which took place in Brasilia, held in December 1997. Upon the request from the Government of Brazil, the Division provided substantive input to the Colloquium's programme. The Colloquium resulted from Brazil's re-examination of the role of the State, after having launched a reform of the State in 1995. As part of this exercise, Brazil made a conscious shift towards a "managerial" approach to administration, a shift which necessitated reconsidering how to assist public servants to better conduct themselves. The report contains the background paper and a summary of the Colloquium.

This publication is the output of the Second Pan-African Conference of Ministers of Civil Service hosted by the Government of the Kingdom of Morocco, in Rabat, 13-15 September 1998 and co-organized by the African Training and Research Centre in Administration and Development (CAFRAD). The objectives of the Conference were to explore and explain the changing role and image of the public service in Africa, consider measures to rejuvenate the leadership and to reinforce professionalism; affirm ethical values, standards and management tools to enhance integrity and combat corruption. The report contains the proceedings, the technical papers of the conference, various speeches, a list of participants and the programme.

This publication is an overview of the reports of the three regional and national conferences mentioned in the three publications listed above. The report is a synthesis of papers presented at and deliberations from these conferences. Although these conferences took place in different regions, the participants concerned on the central role of the State in the socio-economic development of their nations, the need to depoliticize their bureaucracies, and the importance of responding to citizens' needs. They spoke out against corruption, calling for its containment through addressing root causes such as low salaries and salary compressions. They highlighted the needs and challenges distinctive to their region or country but were also quick to see the benefits of international cooperation.

Public Service Ethics in Africa, Volume 1
The Public Service Ethics in Africa project was conceived and developed by staff members of the Division and the Regional Bureau for Africa of the United Nations Development Programme. The purpose of the project is to assist African governments to introduce or upgrade policies and programmes to improve the management of ethics and conduct in their public services. This study is one response among many by the United Nations Agencies to a greater awareness of the need for ethics, accountability and transparency in the public service today, given its indispensable role in the development and governance of a nation. The first volume of the final report compares the state of public service ethics policies and programmes in ten countries: Cameroon, Gabon, Ghana, Kenya, Madagascar, Namibia, Nigeria, Senegal, South Africa, and Uganda. For a more detailed account of the study, see the article First Report on Public Service Ethics in Africa Study Published in this issue.

Information for Obtaining Copies:
To order any of the above, please contact Ms. Dawne Gautier at Tel: +1-212-963-2306 or at gautier@un.org
Forthcoming meetings

Seoul Anti-Corruption Symposium 2001

On 30 and 31 August 2001, the Seoul Anti-Corruption Symposium 2001 will be hosted by the Seoul Metropolitan Government and co-organized by the Division and the Asia Foundation. This event will present Seoul's successful practice of having installed a web-based system to track corruption-prone applications for permits and licenses with others who may be interested in adapting and adopting such a system. Moreover, the Symposium will also be a forum for discussing other anti-corruption initiatives that have been introduced in other regions. In preparation for this event, the Division received a planning mission from the Seoul Metropolitan Government in March and May 2001. During the latter mission, the Mayor of Seoul, Kun Goh, also paid a courtesy visit to Secretary-General Kofi Annan to discuss the joint cooperation. For more information, see web site: www.unpan.org/training-open.asp or contact Ms. Elia Armstrong (armstronge@un.org).

Signing Ceremony of Joint Statement of Cooperation, UN, New York, 8 May 2001. From left to right: Mr. Seok-Young Choi (Korean Mission to the UN, Counsellor), Mayor Kun Goh, (Seoul Metropolitan Government), Mr. Nitin Desai (UN Under-Secretary-General for Economic and Social Affairs), and Mr. Guido Bertucci (Director, Division for Public Economics and Public Administration, UN Department of Economic and Social Affairs).