Establishing and Implementing
Ethical Standards in the Public Service:
the Role of the UN and OECD

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INTRODUCTION

*Ethical Standards in the Public Service*

Important universal issue

Why?

Public Officials:
- guardians of public interest
- stewards of public resources
- facilitators of public policies
- producers of public goods and services
INTRODUCTION

A lack or failure of public service ethical standards has serious consequences, especially for developing countries.

Financial
diversion of scarce funds will deter development

Political
a lack of trust in public institutions can break down peace and order
INTRODUCTION

*Economic*
unpredictable public institutions will deter investment and trade

*Social*
a general deterioration of trust among citizens will break down social fabric
INTERGOVERNMENTAL ORGANIZATIONS

- United Nations (UN)
- Organisation for Economic Cooperation and Development (OECD)
- CAFRAD, etc.

- Exist because Member States face common challenges
- Promote a common understanding of public service ethics, despite different contexts of countries
- Try to achieve consensus on standards and checklists
- Engage in technical cooperation
- Foster peer review
INTERGOVERNMENTAL ORGANIZATIONS

Examples of work at various levels:

**Intergovernmental**
- 2003 OECD Guidelines for Managing Conflicts of Interest in the Public Service

**National & Sub-national**
- OECD Anti-Bribery Convention Peer Review Process
- UN-Seoul Manual on Seoul OPEN System

**Internal**
- UN Organizational Integrity Initiative
INTERGOVERNMENTAL ORGANIZATIONS

*Conceptual Framework of Issues Addressed:*

- Good Governance
  - Integrity
    - Professional ethics
  - Transparency
  - Accountability
  - Anti-corruption
OECD PROFESSIONAL ETHICS

- Reference Checklist for Public Management Ethics (1997)
ETHICS INFRASTRUCTURE

Commitment

Political Leadership

Control

Legislative Framework

Accountability & Control

Guidance

Codes of Conduct

Professional Socialisation

Management

Coordinating Body

Public Service Conditions

Public Involvement & Scrutiny
OECD REFERENCE CHECKLIST

- Principles and standards clear?
- Ethical principles being practised?
- Accountability and oversight adequate?
- Procedures and sanctions for wrongdoing?
OECD STUDY OF BUILDING TRUST IN GOVERNMENT

- Defining a clear public service mission
- Safeguarding values while adapting to change
- Empowering public servants and citizens to report misconduct
- Integrating integrity measures to overall management
OECD STUDY OF BUILDING TRUST IN GOVERNMENT

- Coordinating integrity measures
- Shifting from enforcement to prevention
- Anticipating problems
- Taking advantage of new technology
OTHER OECD WORK

- Guidelines for Managing conflicts of interest (more later)
- 1997 OECD Anti-Bribery Convention of Foreign Public Officials
- Technical cooperation in Central and Eastern Europe (SIGMA, Anti-corruption Network, SPAI)
- Development Assistance Committee (GOVNET Study of donor best practices, etc.)
UN AND PROFESSIONAL ETHICS

- 1996 UN International Code of Conduct for Public Officials
- 1997/8 Regional and national conferences on Public Service Professionalism and Ethics
- Supporting the Regional Charters for the Public Service (Africa 2001, Latin America 2003)
- Regional comparative studies of policies with UNDP (Sub-Saharan Africa: 1999/2000, Arab Region: 2002/3)
- On-line professional ethics training material with CAFRAD (2001-3)
UN INTERNATIONAL CODE OF CONDUCT FOR PUBLIC OFFICIALS

- General principles
- Conflict of interest and disqualifications
- Disclosure of assets
- Acceptance of gifts or other favours
- Confidential information
- Political activity
UN DESA CONFERENCES

- 1997 Regional conference of 21 Central and Eastern European countries resulted in Thessaloniki Centre for Public Service Professionalism and Ethics
- 1997 National conference with Brazil resulted in support to establishment of Brazilian Public Ethics Commission (more later)
- Support to CAFRAD’s 1998 Pan-African Conference of Civil Service Ministers resulted in the African Charter (more later)
- Support to other ad hoc conferences
Public Service Ethics in Africa Study of 10 countries
- Insufficient basic public sector information being collected
- Big gap between standards and actual practices
- Values and standards mostly in place but not communicated effectively
- Standards need to be updated to cover newer areas (e.g. travel and post-employment restrictions)
- Inadequate management structures to implement standards
- Insufficient incentives for good conduct (low salary, lack of merit-based career structures)
- Reporting procedures for wrongdoing not well known
- Investigating and prosecution agencies with inadequate resources, leading to lack of enforcement

Transparency and Accountability in the Public Sector in the Arab Region of 6 countries: ongoing
UN/CAFRAD ON-LINE TRAINING MATERIAL FOR FRANCOPHONE AFRICA

- Coming soon
- Basic principles of professional ethics
- Cartoon sketches to illustrate ethical decision-making
- Resource material to assist with ethical decision-making
- Designed to place on the Internet or on CD-ROM
- Plans to adopt for Anglophone Africa
- Dissemination strategy in “kits” for public officials, businesses, and civil society groups
OTHER UN ACTIVITIES

UN General Assembly Resolutions

- Public Administration and Development (A/50/225)
- Action Against Corruption (A/51/59)
- United Nations Declaration Against Corruption and Bribery in International Commercial Transactions (A/51/191)
- International Cooperation Against Corruption and Bribery in International Commercial Transactions (A/52/87)
OTHER UN ACTIVITIES

UN General Assembly Resolutions

- Action Against Corruption and Bribery in International Commercial Transactions (A/53/176)
- Prevention of Corrupt Practices and Illegal Transfer of Funds (A/54/205)
- An Effective International Legal Instrument Against Corruption (A/55/61)
- Preventing and Combating Corrupt Practices and Illegal Transfer of Funds and Repatriation of Such Funds to the Countries of Origin (A/55/188)
OTHER UN ACTIVITIES

UN Office for Drugs and Crime (ODC)
Center for International Crime Prevention (CICP)

Draft UN Convention Against Corruption
Final negotiation session to prepare an international legal instrument against corruption

Global Programme Against Corruption
Provides technical cooperation to developing and transitional countries
Promoting anti-corruption measures

International Group on Anti-Corruption Coordination
Interagency meetings
OTHER UN ACTIVITIES

UN Office of Internal Oversight Services (OIOS)

- Internal Audit
- Investigations
- Programme Monitoring and Evaluation
- Management Inspection
- Organizational Integrity Initiative
CONCLUSION

- IGOs and NGOs (e.g. NDI, TI, etc.) add value in promoting ethical standards by sharing common challenges and homegrown solutions.
- Both OECD and the UN seek to support Member States to achieve good governance and higher public sector performance through setting common standards for better conduct.
- As public sector professional ethical standards are one form of expressing the founding ethical values and principles of the UN (UN Charter, Universal Declaration of Human Rights), the UN will continue to promote them.
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