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Jacob Söderman speaking from Finland

Towards open EU governance

Transparency in action - a case study, by Jacob Söderman

IIAS Director General Michael Duggett writes: Jacob Söderman is Rapporteur General in our Monterrey Conference in July. Here he sets out the concrete progress in one continent - Europe - in implementing transparency for better governance - our theme.

Transparency

In the summer of 1995 I was elected as the first European Ombudsman. The main topic of discussion in the European Union at that time was - and in many ways still is - 'transparency'. This term was used in a broad way. Many in the debate did not appear to have a picture of what it meant. Any failure in the activities of the European Union appeared to be linked to lack of transparency. It was seen as an all-purpose tool to criticize government and administration.

Meaning

But what did 'transparency' mean? When I became the Ombudsman - and so responsible for these issues within the EU context I found that there were very real and specific demands from ordinary citizens. People were unhappy with the EU because of a lack of or wrong information, refusal of access to documents, or decision-making behind closed doors. What people wanted -- what the citizens demanded -- was a more transparent administration within the European Union. For example, where was their money going and what was it being used for?

Response

The Heads of Governments of the Member States in the European Community had certainly

appeared to offer answers. At the Conference of Maastricht (1992), Declaration 17 to the Final Act read: 'The Conference considers that transparency of the decision-making process strengthens the democratic nature of the institutions and the public's confidence in the administration.'

It had led the European Commission and the Council of Ministers to adopt a Code of Conduct containing rules on public access to their documents in 1993. The rules were implemented through Decisions by both institutions within their power of internal organisation. These Codes provided for unsuccessful applicants to be told about judicial remedies - the courts - and of the possibility to complain to the Ombudsman. A judgment of the European Court of First Instance made clear that these Council and Commission Decisions contained enforceable rights for individuals.

Inquiry

In June 1996, I began an inquiry into the question of whether the other Community institutions and bodies, apart from the Council and the Commission, had established publicly available rules on access to documents. The European Court had stated in the

Netherlands v Council case that they were authorized to adopt rules on the right of public access to documents. The inquiry led to a recommendation that EU adopt rules on public access to documents. Later I told the Parliament that most institutions and bodies concerned had adopted such rules, including the European Central Bank and Europol.

Clarifying the Rules

On its 10th anniversary the Court of First Instance held a seminar in Luxembourg on transparency in the EU. In my speech I stated that transparency in public governance meant that citizens should be able to understand:

- What the public authorities are doing
- Why they are doing it
- What they are planning to do in the future, and
- What are the relevant rights of the citizens.

I added that there should also be an active information policy by the Administration, using all available tools like the internet. Transparency should further constitute a general right for the public to access files that the public administration holds. This right should only be restricted by exceptions precisely stated in a law.

Amsterdam

So, I was pleased to see that in the Treaty of Amsterdam (1997) a new Article 255 stated that there should be legislation - public legislation - on the right to access to documents held by the European Parliament, Council and Commission. However, when the draft regulation was published in January 2000 by the European Commission, I wrote a critical article about it in the *Wall Street Journal* arguing that the list of exceptions was too long and too vague. This led to an animated public debate with the then President of the Commission, Mr Romano Prodi (now Italian Prime Minister) with the result that the European Parliament took a strong interest in the draft regulation and adopted, as co-legislator with the Council, a text which was an important achievement for transparency in the Union. In practice it applies to all the EU administration.

March Onwards

There was much progress in the march towards open governance in the (continued on page 2)



Towards open EU governance

(continued from page 1) European Union in the early years of the Ombudsman's office. Still, much remains to be done. The doors of the Council of Ministers remain closed even when adopting laws binding for the European citizens; this is of course contrary to the principle expressed in the Amsterdam Treaty that 'decisions should be taken as openly as possible.' One embarrassing failure – for example - was that the Commission firmly opposed my suggestion to establish freedom of speech for its own officials, a right that most Member States have acknowledged for their public officials.

Democracy

Transparency in public governance is fundamental for democracy; it is a condition both for the accountability for public power to citizens and for their participation in public life. One could say that transparency for public governance is as important as fair competition is for the free market. In Monterrey, I will want to examine how true this is across the global community.

So, the fight for transparency must go on!

Spanish review reborn

The International Review of Administrative Sciences (IRAS), the official journal of IIAS edited by Christopher Pollitt, will soon be appearing again in Spanish as well as English, French and Arabic.

The Spanish edition will be unveiled at our Mexican Conference in July as *Revista Internacional de Ciencias Administrativas* as the result of a new agreement between IIAS and the Instituto Nacional de Administracion Publica of Madrid.

'This new Spanish edition derives from our policy of linguistic diversity based on respect and outreach to a wider world community,' said IIAS Director General Michael Duggett. 'We once before had the privilege of speaking directly to a Hispanic readership and thanks to the vision and generosity of our colleagues in Madrid and in Mexico we shall soon be able to do so once again.'

For the time being, IRAS will only be able to accept proposed articles in the Institute's official languages of English or French. 'However, we are delighted that we can now offer published material in two of the top-three widest spoken languages,' the Director General continued. 'We are talking to Chinese colleagues about completing the set.'

The international review of administrative sciences

Upcoming June and September issues

Local Government: Governance, Accountability, Ethics is the theme of the June issue of the International Review of Administrative Sciences, with 'Points for Practitioners' offered in each article that identify key implications for professionals working in public management and administration.

The September issue covers **International Trends in Public Management Reform**, bringing together commentary and observations on the 2005 OECD Report 'Modernising

Government' by top professors from five countries. IIAS commissioned analyses from Geert Bouckaert (Belgium); Shamsul Haque (Singapore); Don Kettl (USA); Rune Premfors (Sweden); and Colin Talbot (UK). The issue includes an executive summary of the OECD Report with an introduction by IRAS Editor Christopher Pollitt.

This special issue of IRAS is a 'must-read' for all public management scholars and practitioners, offering an overview of 15 years of intensive reform. See <http://ras.sagepub.com>

IIAS library featured on national library website



IIAS is signing an agreement with the Belgian National Library that will allow the Institute's library of public administration books, IIAS Congress papers, and periodicals to be listed on the database of the Bibliotheque Royale de Belgique (Koninklijke Bibliotheek van België) and identified as IIAS holdings.

The Belgian Library database is also available in online catalogues with all major world libraries.

The IIAS has a superb but little-used library of over 16,000 specialised public administra-

tion books, approximately 150 periodicals and almost 9,000 documents (reports), the papers of IIAS Congresses since 1910. This library has unique documentary resources, which are constantly being expanded. Books sent to the library can be reviewed and noted in our quarterly and four-language **International Review of Administrative Sciences**.

The IIAS library is open every working day and staffed by Monique Recloux. 'We don't foresee that this new arrangement with the Belgian National Library will result in a deluge of visitors to the Institute,' said IIAS Director General Duggett, 'But it no doubt will raise the profile of our wealth of written resources and of the Institute itself.'

See www.kbr.be/accueil



Chinese national section holds major pre-Monterrey event

The Chinese national section of the Institute, led by IIAS Vice President for Asia Mr Dai Guanjian, hosted a seminar 'Public Administration Reform in Asian Countries - Openness, Transparency and Accountability' on 25-26 April 2006 in Nanning (Guangxi Zhuang Autonomous Region).

Designed as a precursor to the Mexico Conference, the seminar was opened by the Vice-Minister Wang Xiaochu in the presence of Mr Guo Ji, President of the Chinese Public Administration Society and other Chinese leaders.

Delegates included Dr Siripurapu Kesava Rao of India, Mr Dongsung Kong of Korea, and colleagues from Laos, Vietnam, Russia, Singapore, Japan and other Asian States. Its Rapporteur General was Major-General Asif Bukhari who is responsible to the President for civil service reform in Pakistan.

President launches major change programme



IIAS President Franz Strehl announced a major programme of management change at the 98th meeting of the Executive Committee in Brussels in March with five key objectives:

1. Improve the Institute Website

- Redesign our web offering for the 21st century. **Project coordinators:** Fabienne Maron and Véronique Fagel

2. Make Marketing Better

- Raise the Institute's profile and enhance reputation internationally and in its home base Brussels. **Project coordinator:** Juan Cabrera-Clerget.

3. Seek Sponsors

- Supplement our resources by tapping into private sector resources and expertise. **Project coordinator:** Gail Darge

4. Clearer and More Transparent Cost Accounting and Reporting

- Facilitate a better understanding of the complex income and expenditure process managed by our Treasurer. **Project coordinator:** Christian Rosseeuw

5. More Effective Conference Management

- Ensure on-line registration for all our events in 2007 and improve our database. **Project coordinator:** Catherine Coninckx

A dedicated mentor from the IIAS Executive Committee is intended to work with each project objective and activities.

Responsive, responsible and respected government



Jocelyne Bourgon: fifth Braibant lecture 'Responsive, Responsible and Respected Government' was the title of the thought-provoking Fifth Braibant Lecture, delivered by Canadian Ambassador to the OECD Jocelyne Bourgon on 22 March 2006 at IIAS headquarters in Brussels. Ambassador Bourgon provided the audience with a past and present perspective on public administration, and ventured some predictions about trends in the near future, stressing the need to provide public servants with a 'unified doctrine' that could help shape citizens' expectations and guide governmental actions. She outlined 'Classic' Public Administration Theory and underlined a growing gap between the theoretical foundation and the reality faced by

Civil/Public Servants in the 21st century.

She then proposed a 'journey' toward a 'new' Public Administration Theory with four building blocks: Citizenship, Public Interest, Service to Citizens and Public Policy.

She placed this in the context of intellectual foundations drawn from academic work on citizenship, governance, civil society, and trust in government, and from practice, such as policy formulation and implementation.

Jocelyne Bourgon underscored that 'citizens expect government to respect democratic principles, abide by the rule of law and serve the collective interest.' And, at the most basic level, 'they expect their government to be legitimate, honest and responsible.'

'The time is ripe to reconcile yet again freedom in the private sphere and collective deliberation over the content of justice in the public sphere,' she concluded. 'The time is ripe for a 'New Public Administration Theory'.'

IIAS signs new publishing deal

The IIAS is launching a new series of books entitled **Governance and Public Management with international publisher Palgrave Macmillan.**

With three volumes per year for three years, the books will showcase IIAS activities, along with those of its European Group of Public Administration and International Association of Schools and Institutes of Administration.

Palgrave Macmillan is a global academic publisher serving learning and scholarship in the fields of higher education. It builds on the heritage of Macmillan Press in the UK and St Martin's Press in the USA.

Joint Editors of the new series are Professor Ken Kernaghan of Brock University, Canada,

and Professor Wim van de Donk of Tilburg University, Chairman of the Scientific Council for Government Policy, the Netherlands.

'This is an experienced team that reflects trans-Atlantic perspectives,' said IIAS Director of Publications Professor Werner Jann of Potsdam University, 'But the series - in English - will be open to authors from around the world.'

'All authors and scholars who are active in any part of the institute are invited to submit proposals for publications to Palgrave,' IIAS Director General Michael Duggett emphasized. 'Working with Palgrave Macmillan is an important step forward to publicize our work and contribute to the academic development in public administration.'

Five project groups in new wave of IIAS research

Recently, IIAS committed its energies and its network to a methodology under the motif of 'Critical Governance Issues.' That commitment has already yielded a focused new wave of research studies.

The time-limited and targeted Project Groups are international in style, location, and membership, and are chaired by leading lights of the Institute:

Virtue and Values in Public Administration

Chair: Pan Suk Kim (Korea)

Rapporteur: Anthony Makrydemetres (Greece)

Secretary: Juan Cabrera-Clerget (IIAS)

What is a good public servant? This group will focus on the role of ethics in governance - in particular the dialectic between western and eastern perceptions of 'virtue.'

The first meeting of the group was in Brussels on 23 March 2006, and the next meeting will be in Monterrey, with the report scheduled for 2008-9. Members include Michael Keenan (Canada), Nick Manning (OECD), Akira Nakamura (Japan), and Michael Duggett (IIAS).

Administering Global Governance - The Human Factor

Chair: Ignacio Pichardo Pagaza (Mexico)

Rapporteur: Demitri Argyriades (UN/USA)

Secretary: Juan Cabrera-Clerget (IIAS)

This group, a successor to the one that produced 'The World We Could Win' in 2005, met for the first time in New York at the UN on 26 March 2006. The next meeting will be in Monterrey, with the report scheduled for 2008.

Its members include John Mary Kauzya (UNDESA), Michael Duggett (IIAS), Andrew Massey (UK), Ian Thynne (Australia), Richard Levin (South Africa), Werner Jann (Germany), and O.P. Dwivedi (Canada).

The History of Public Administration

Chair: Fabio Rugge (Italy)

Rapporteur: Stefan Fisch (Germany)

Secretary: Gail Darge (IIAS)

This Group, an ongoing initiative of the Institute and one of our most productive project groups, met in Granada, Spain, on 29-30 April 2006 to conclude its book on how administrations have handled heritage management. A future study will examine migration in a similar cross-cutting way. The next meeting will be in Spring 2007. The report on heritage (continued on page 4)

agenda



IIAS 3rd regional international conference

Monterrey, Nuevo León (Mexico),

16-20 July 2006

Rapporteurs for the Monterrey Conference met in February 2006 in Mexico to examine and approve the draft proposals for conference papers, with 73 out of 109 accepted. The Governor of the State of Nuevo León, H.E. Mr. José Natividad Gonzales Paras officially launched the Conference at a press briefing.

In addition to the four workshops on the Conference theme, four panels will also be organised:

- Latin American Panel - 'Transparency in Government Process on the Latin American Continent'
- North American Panel - 'Federalism and Transparency in North American Governance'
- Asian Panel - 'Transparency and Public Administration: Asian Perspectives'
- International Panel - 'International Visions of Transparency for Better Governance'

For more details contact Catherine Coninckx at coninckx@iiasiisa.be

Conference registration and accommodation forms are available on the IIAS web site: http://www.iiasiisa.be/iias/aiconf/monterreyaimont_accom.htm



IASIA annual conference

Warsaw (Poland),

5-8 July 2006

Warsaw, a vibrant and thriving European capital city, is an excellent venue for the next IASIA conference 5-8 July 2006. The conference promises to offer delegates very high level activities, under the expert guidance of Rapporteur General Mr Knut Rexed of Sweden.

Polish colleagues in the KSAP led by Professor Maria Gintowt-Jancowicz are responsible as our hosts for organising the programme, ensuring that delegates will enjoy traditional Polish hospitality and all the best that Warsaw has to offer.

Please contact the IASIA Executive Secretary for any information on the conference at the following e-mail address: iasia@iiasiisa.be.

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EGPA annual conference

Milan (Italy)

6-9 September 2006

Join us in Milan in September for the EGPA Annual Conference focused on the theme of 'Public Managers under pressure: between politics, professionalism and civil society.' Major events at the conference include:

Two workshops on the Conference theme:

- Voice and exit: pressures on public policy makers and managers
- After public policy and management frameworks, what's the next step?

Eleven Study Groups and Two Research

Groups including first-ever study groups on:

- Intergovernmental Relations
- Governance of Public Sector Organizations
- Regulation and Management

A Host Country Panel on Thursday, 7 Sept

2006: 'Good practices in the Italian public sector.'

Additionally, there is a Pre-Conference Seminar for PhD Students on 4-5 September 2006. The theme: 'Public management and public governance: new developments in public sector research.'

Registration fee: EGPA Members €355 and Non-Members €455. Special registration fees for PhD Students: €100 (EGPA Conference) and €150 (Pre-Conference Seminar and EGPA Conference)

Contact Persons: Dr. Fabienne Maron maron@iiasiisa.be and Dr. Paolo Fedele, Davide Galli, Dr. Dario Barbieri: egpa2006@unibocconi.it
Register on the Conference Website at: www.egpa2006.com.

Five project groups in new wave of IIAS research

(continued from page 3) management is planned for late 2006.

Members include Jos Raadschelders (Netherlands), Jean Marie Yante (Belgium), Vida Azimi (France), Gregorio Nunez (Spain), and Peri Arnold (USA).

Issues in Supranational Administration

Chair: Chris de Cooker (European Space Agency)

Secretary: Gail Darge (IIAS)

This Group produced a unique report in 2005 on Accountability, Investigation and Due Process in International Organizations (Nijhoff

Law Specials 2005) and continued its work in Vienna in 3-5 May 2006, where it was warmly welcomed by Franz Strehl, President of the IIAS.

Hosted by the Organization for Security and Cooperation in Europe (OSCE), the Group met in the Hofburg. Around 60 specialists in international administrative law, from 35 different organisations, met to discuss shared problems and issues with their internal justice systems.

The next meeting will be in Spring 2007; reporting date – most likely 2008.

Security as a Critical Governance Issue

Chair: Jacek Czaputowicz (Poland)

Rapporteur: David Brown (Canada)

Secretary: Fabienne Maron

The first meeting of the new Group took place in Warsaw on 16-17 May 2006 at the Office of

the Civil Service. The main objective was to discuss the framework of the research project and the concepts of Security and Governance. David Brown presented his brief on the main theme and Jacek Czaputowicz provided the participants with observations on theory.

It was agreed to focus upon 'Towards a Secure State: Directions, Threats and Choices' as the provisional title of a framework with three perspectives: 1. Security and the Citizens; 2. Security and the State, and 3. Security and the International System.

Members include Gunilla Edelstam (Sweden), Paul Wilkinson (UK), Mark Entin (Russia), Michel Liégeois (Belgium), and Iskander Bashir (UAE).

The next meeting will be in Brussels in December 2006 with a report envisaged in 2008.