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IN PURSUIT OF GOOD ADMINISTRATION

European Conference

*organised by the Council of Europe
in co-operation with the Faculty of Law and Administration
University of Warsaw*

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Opening address

PRESENTED BY

**Ms Danuta WIŚNIEWSKA-CAZALS
Council of Europe**

Ladies and Gentlemen,

It is a great pleasure for me to address you at the opening session of this European conference on good administration.

I would like to extend my warmest thanks to Professor Tomaszewski, Dean of the Faculty of Law and Administration, for hosting this conference on the premises of Warsaw University. On a more personal note, I must admit that I am particularly honoured and moved to be able to address you here in this university where I gained my degree and my first professional experience.

I would also like to thank Ms Hanna Machinska, Director of the Council of Europe Information Office, and her colleagues for their support in preparing this event and for its perfect organisation. My thanks also to the experts, who were prepared to come to Warsaw to share their experience and practices in running an administration, and to all the participants, as your presence here today shows that your countries are interested in improving their administration.

It is also a privilege for me to wish you much success on behalf of Mr Terry Davis, Secretary General of the Council of Europe, who has been closely following our activities in this field.

Warsaw is the most appropriate place for holding a debate on good administration, for it was at their Third Summit, held here in 2005, that the Heads of State and Government of the Council of Europe adopted a Declaration confirming that the fundamental objective of the Council of Europe is to preserve and promote human rights, democracy and the rule of law. In the Action Plan adopted at the end of the Summit, the highest authorities of the Council of Europe's member states clearly state that good administration is closely linked to democracy and good governance; the theme of our conference is therefore a direct contribution to this fundamental objective of the Council of Europe.

Despite the wide range of legal systems and the different political approaches to "administration" in Europe, member states have one point in common: they all need an administration and they all have one. Today and tomorrow, we will discuss what needs to be done to ensure that our administrations really help to protect human rights, democracy and the rule of law.

The Council of Europe has been very active in the field of administrative law for many years now. It has drafted some twenty recommendations, mainly with a view to improving relations between the public authorities and private individuals. Finally, in 2005, the Committee of Ministers decided that the time had come to identify the principles which public administrations should respect in order to act in compliance with the Council of Europe's fundamental values. They therefore instructed the Project Group on Administrative Law to "carry out a study on the means of strengthening the legal framework of good administration as an essential element of good governance and, in particular, to study what improvements should be made to administrative decision making".

In the light of the results of this study, the Project Group suggested that it was both feasible and desirable to prepare a legal instrument in this field. The Committee of Ministers took this suggestion on board and instructed the same project group to draft a recommendation and a consolidated model code of good administration with a view to promoting common legal standards

throughout Europe and to improving the functioning of public administration and relations between the administration and individuals.

The Project Group, which was assisted by Professor Delvolvé, who is here today as general rapporteur, successfully fulfilled its terms of reference and the recommendation on good administration (CM/Rec(2007)7) was adopted by the Committee of Ministers on 20 June 2007. I would also like to point out that it follows on directly from Recommendation 1615 (2003) of the Parliamentary Assembly of the Council of Europe on the institution of ombudsman and that it provides the basis for our discussions.

The recommendation, and the code of good administration, will remain a dead letter if member states do not implement it. For this instrument to effectively improve the lives of 800 million Europeans, requires a commitment from each and every one of you, as experts in the field of administration.

Today, here in Warsaw, I would like once again to call on each of you to ensure that this recommendation is swiftly and effectively implemented. I also invite you to take an active part in the discussions at this conference, as I am convinced that it will provide a suitable platform for sharing experiences and new ideas. As good administration is always closely linked to efficiency and as I am the last person who would wish to prevent this conference from getting off to a good start by depriving the experts of the time they need to discuss important issues, I will stop here and hand the floor over to them.

Thank you for your attention. I hope that this conference will yield new ideas and lead to new practices in public administrations in European countries.