



# Recommendation of the Council on Public Integrity

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## **Date(s)**

Adopted on 26/01/2017

## **Background Information**

The Recommendation on Public Integrity was adopted by the OECD Council on 26 January 2017 on the proposal of the Public Governance Committee. The Recommendation updates and replaces the 1998 Recommendation of the Council on Improving Ethical Conduct in the Public Service including Principles for Managing Ethics in the Public Service which was the first international instrument in the area of managing ethics and enhancing integrity. The Recommendation builds upon the central principles contained in the 1998 Recommendation while incorporating new dimensions, as governing integrity and trust in the public sector has become increasingly complex since the economic and financial crisis. Notably, the Recommendation provides a new strategic approach to move away from distinct frameworks and develop a coherent integrity system for the public sector that integrates related policies and practices in a mutually supportive way.

## **THE COUNCIL,**

**HAVING REGARD** to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

**HAVING REGARD** to the Recommendation of the Council for Improving the Quality of Government Regulation [C(95)21/FINAL], the Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Sector [C(2003)107], the Recommendation of the Council on Principles for Private Sector Participation in Infrastructure [C(2007)23/FINAL], the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, the Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions [C(2009)159/REV1/FINAL], the Recommendation of the Council on Principles for Transparency and Integrity in Lobbying [C(2010)16], the Guidelines for Multinational Enterprises [C(76)99/FINAL, as amended by C/MIN(2011)11/FINAL], the Recommendation of the Council on Regulatory Policy and Governance [C(2012)37], the Recommendation of the Council on Principles for Public Governance of Public-Private Partnerships [C(2012)86], the Recommendation of the Council on Effective Public Investment Across Levels of Government [C(2014)32], the Recommendation of the Council on the Governance of Critical Risks [C/MIN(2014)8/FINAL], the Recommendation of the Council on Public Procurement [C(2015)2], the Recommendation of the Council on the Policy Framework for Investment [C(2015)56/REV1], the Recommendation of the Council on Guidelines on Corporate Governance of State-Owned Enterprises [C(2015)85] and the Recommendation of the Council on Gender Equality in Public Life [C(2015)164];

**HAVING REGARD** to the work done on anti-corruption and good governance by the United Nations, embodied in particular in the United Nations Convention against Corruption and the United Nations 2030 Agenda for Sustainable Development, and by other international as well as regional organisations;

**RECOGNISING** that integrity is one of the pillars of political, economic and social structures and thus essential to the economic and social well-being and prosperity of individuals and societies as a whole;

**RECOGNISING** that integrity is vital to public governance, safeguarding the public interest and reinforcing such fundamental values as the commitment to a pluralistic democracy based upon the rule of law and respect of human rights;

**RECOGNISING** that integrity is a cornerstone of the overall system of good governance, and that updated guidance on public integrity should accordingly promote coherence with other key elements of public governance;

**CONSIDERING** that violations of integrity standards, of which no country is immune, have become increasingly complex since the adoption of the Recommendation of the Council on Improving Ethical Conduct in the Public Service including Principles for Managing Ethics in the Public Service [C(98)70], which this Recommendation replaces;

**RECOGNISING** that integrity risks exist in the various interactions between the public sector, and the private sector, civil society and individuals at all stages of the political and policy process, therefore this interconnectedness requires an integrative whole-of-society approach to enhancing public integrity and reducing corruption in the public sector;

**RECOGNISING** that national practices on promoting integrity vary widely across countries due to the specific nature of public integrity risks and their distinct legal, institutional and cultural contexts;

**CONSIDERING** that enhancing public integrity is a shared mission and responsibility for all levels of government through their different mandates and levels of autonomy in line with national legal and institutional frameworks, and that therefore, this Recommendation is relevant to all levels of government for fostering public trust;

**On the proposal of the Public Governance Committee:**

I. **AGREES** that, for the purpose of the present Recommendation, the following definitions are used:

- **Public integrity** refers to the consistent alignment of, and adherence to, shared ethical values, principles and norms for upholding and prioritising the public interest over private interests in the public sector.
- **Public sector** includes the legislative, executive, administrative, and judicial bodies, and their public officials whether appointed or elected, paid or unpaid, in a permanent or temporary position at the central and subnational levels of government. It can include public corporations, state-owned enterprises and public-private partnerships and their officials, as well as officials and entities that deliver public services (e.g. health, education and public transport), which can be contracted out or privately funded in some countries.

II. **RECOMMENDS** that Members and non-Members having adhered to this Recommendation (hereafter the “Adherents”) build a **coherent and comprehensive public-integrity system**. To this end, Adherents should:

1. Demonstrate **commitment** at the highest political and management levels within the public sector to enhance public integrity and reduce corruption, in particular through:

- a) ensuring that the public integrity system defines, supports, controls and enforces public integrity, and is integrated into the wider public management and governance framework;
- b) ensuring that the appropriate legislative and institutional frameworks are in place to enable public-sector organisations to take responsibility for effectively managing the integrity of their activities as well as that of the public officials who carry out those activities;
- c) establishing clear expectations for the highest political and management levels that will support the public integrity system through exemplary personal behaviour, including its demonstration of a high standard of propriety in the discharge of official duties.

2. Clarify institutional **responsibilities** across the public sector to strengthen the effectiveness of the public integrity system, in particular through:

- a) establishing clear responsibilities at the relevant levels (organisational, subnational or national) for designing, leading and implementing the elements of the integrity system for the public sector;
- b) ensuring that all public officials, units or bodies (including autonomous and/or independent ones) with a central responsibility for the development, implementation, enforcement and/or monitoring of elements of the public integrity system within their jurisdiction have the appropriate mandate and capacity to fulfil their responsibilities;
- c) promoting mechanisms for horizontal and vertical co-operation between such public officials, units or bodies and where possible, with and between subnational levels of government, through formal or informal means to support coherence and avoid overlap and gaps, and to share and build on lessons learned from good practices.

3. Develop a **strategic** approach for the public sector that is based on evidence and aimed at mitigating public integrity risks, in particular through:

- a) setting strategic objectives and priorities for the public integrity system based on a risk-based approach to violations of public integrity standards, and that takes into account factors that contribute to effective public integrity policies;
- b) developing benchmarks and indicators and gathering credible and relevant data on the level of implementation, performance and overall effectiveness of the public integrity system.

4. Set high **standards** of conduct for public officials, in particular through:

- a) going beyond minimum requirements, prioritising the public interest, adherence to public-service values, an open culture that facilitates and rewards organisational learning and encourages good governance;

- b) including integrity standards in the legal system and organisational policies (such as codes of conduct or codes of ethics) to clarify expectations and serve as a basis for disciplinary, administrative, civil and/or criminal investigation and sanctions, as appropriate;
- c) setting clear and proportionate procedures to help prevent violations of public integrity standards and to manage actual or potential conflicts of interest;
- d) communicating public sector values and standards internally in public sector organisations and externally to the private sector, civil society and individuals, and asking these partners to respect those values and standards in their interactions with public officials.

**III. RECOMMENDS** that Adherents **cultivate a culture of public integrity**. To this end, Adherents should:

5. Promote a **whole-of-society** culture of public integrity, partnering with the private sector, civil society, and individuals, in particular through:

- a) recognising in the public integrity system the role of the private sector, civil society and individuals in respecting public integrity values in their interactions with the public sector, in particular by encouraging the private sector, civil society and individuals to uphold those values as a shared responsibility;
- b) engaging relevant stakeholders in the development, regular update and implementation of the public integrity system;
- c) raising awareness in society of the benefits of public integrity and reducing tolerance of violations of public integrity standards and carrying out, where appropriate, campaigns to promote civic education on public integrity, among individuals and particularly in schools;
- d) engaging the private sector and civil society on the complementary benefits to public integrity that arise from upholding integrity in business and in non-profit activities, sharing and building on, lessons learned from good practices.

6. Invest in integrity **leadership** to demonstrate a public sector organisation's commitment to integrity, in particular through:

- a) including integrity leadership in the profile for managers at all levels of an organisation, as well as a requirement for selection, appointment or promotion to a management position, and assessing the performance of managers with respect to the public integrity system at all levels of the organisation;
- b) supporting managers in their role as ethical leaders by establishing clear mandates, providing organisational support (such as internal control, human resources instruments and legal advice) and delivering periodic training and guidance to increase awareness of, and to develop skills concerning the exercise of appropriate judgement in matters where public integrity issues may be involved;
- c) developing management frameworks that promote managerial responsibilities for identifying and mitigating public integrity risks.

7. Promote a merit-based, professional, public sector dedicated to public-service values and good governance, in particular through:

- a) ensuring human resource management that consistently applies basic principles, such as merit and transparency, to support the professionalism of the public service, prevents favouritism and nepotism, protects against undue political interference and mitigates risks for abuse of position and misconduct;
- b) ensuring a fair and open system for recruitment, selection and promotion, based on objective criteria and a formalised procedure, and an appraisal system that supports accountability and a public-service ethos;

8. Provide sufficient information, training, **guidance** and timely advice for public officials to apply public integrity standards in the workplace, in particular through:

- a) providing public officials throughout their careers with clear and up-to-date information about the organisation's policies, rules and administrative procedures relevant to maintaining high standards of public integrity;

- b) offering induction and on-the-job integrity training to public officials throughout their careers in order to raise awareness and develop essential skills for the analysis of ethical dilemmas, and to make public integrity standards applicable and meaningful in their own personal contexts;
- c) providing easily accessible formal and informal guidance and consultation mechanisms to help public officials apply public integrity standards in their daily work as well as to manage conflict-of-interest situations.

9. Support an **open** organisational culture within the public sector responsive to integrity concerns, in particular through:

- a) encouraging an open culture where ethical dilemmas, public integrity concerns, and errors can be discussed freely, and, where appropriate, with employee representatives, and where leadership is responsive and committed to providing timely advice and resolving relevant issues;
- b) providing clear rules and procedures for reporting suspected violations of integrity standards, and ensure, in accordance with fundamental principles of domestic law, protection in law and practice against all types of unjustified treatments as a result of reporting in good faith and on reasonable grounds.
- c) providing alternative channels for reporting suspected violations of integrity standards, including when appropriate the possibility of confidentially reporting to a body with the mandate and capacity to conduct an independent investigation;

**IV. RECOMMENDS** that Adherents enable **effective accountability**. To this end, Adherents should:

10. Apply an internal **control and risk management** framework to safeguard integrity in public sector organisations, in particular through:

- a) ensuring a control environment with clear objectives that demonstrate managers' commitment to public integrity and public-service values, and that provides a reasonable level of assurance of an organisation's efficiency, performance and compliance with laws and practices;
- b) ensuring a strategic approach to risk management that includes assessing risks to public integrity, addressing control weaknesses (including building warning signals into critical processes) as well as building an efficient monitoring and quality assurance mechanism for the risk management system;
- c) ensuring control mechanisms are coherent and include clear procedures for responding to credible suspicions of violations of laws and regulations, and facilitating reporting to the competent authorities without fear of reprisal.

11. Ensure that **enforcement** mechanisms provide appropriate responses to all suspected violations of public integrity standards by public officials and all others involved in the violations, in particular through:

- a) applying fairness, objectivity and timeliness in the enforcement of public integrity standards (including detecting, investigating, sanctioning and appeal) through the disciplinary, administrative, civil, and/or criminal process;
- b) promoting mechanisms for co-operation and exchange of information between the relevant bodies, units and officials (at the organisational, subnational or national level) to avoid overlap and gaps, and to increase the timeliness and proportionality of enforcement mechanisms;
- c) encouraging transparency within public sector organisations and to the public about the effectiveness of the enforcement mechanisms and the outcomes of cases, in particular through developing relevant statistical data on cases, while respecting confidentiality and other relevant legal provisions.

12. Reinforce the role of external **oversight and control** within the public integrity system, in particular through:

- a) facilitating organisational learning and demonstrating accountability of public sector organisations by providing adequate responses (including redress, where relevant) to the sanctions, rulings and formal advice by oversight bodies (such as supreme audit institutions,

ombudsmen or information commissions), regulatory enforcement agencies and administrative courts;

b) ensuring that oversight bodies, regulatory enforcement agencies and administrative courts that reinforce public integrity are responsive to information on suspected wrongdoings or misconduct received from third parties (such as complaints or allegations submitted by businesses, employees and other individuals);

c) ensuring the impartial enforcement of laws and regulations (which may apply to public and private organisations, and individuals) by regulatory enforcement agencies.

13. Encourage **transparency and stakeholders' engagement** at all stages of the political process and policy cycle to promote accountability and the public interest, in particular through:

a) promoting transparency and an open government, including ensuring access to information and open data, along with timely responses to requests for information;

b) granting all stakeholders – including the private sector, civil society and individuals – access in the development and implementation of public policies;

c) averting the capture of public policies by narrow interest groups through managing conflict-of-interest situations, and instilling transparency in lobbying activities and in the financing of political parties and election campaigns;

d) encouraging a society that includes “watchdog” organisations, citizens groups, labour unions and independent media.

**V. INVITES** the Secretary-General to disseminate this Recommendation.

**VI. INVITES** Adherents to disseminate this Recommendation at all levels of government.

**VII. INVITES** non-Adherents to take due account of, and adhere to, this Recommendation subject to a review by the Working Party of Senior Public Integrity Officials.

**VIII. INSTRUCTS** the Public Governance Committee to monitor, through its Working Party of Senior Public Integrity Officials, the implementation of this Recommendation and to report thereon to the Council no later than five years following its adoption and regularly thereafter.

## Adherents\*

### OECD Members

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Austria  
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Iceland  
Ireland  
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Italy  
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Luxembourg  
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- **Decisions:** OECD legal instruments which are legally binding on all Members except those which abstain at the time of adoption. While they are not international treaties, they entail the same kind of legal obligations. Adherents are obliged to implement Decisions and must take the measures necessary for such implementation.
- **Recommendations:** OECD legal instruments which are not legally binding but practice accords them great moral force as representing the political will of Adherents. There is an expectation that Adherents will do their utmost to fully implement a Recommendation. Thus, Members which do not intend to do so usually abstain when a Recommendation is adopted, although this is not required in legal terms.
- **Declarations:** OECD legal instruments which are prepared within the Organisation, generally within a subsidiary body. They usually set general principles or long-term goals, have a solemn character and are usually adopted at Ministerial meetings of the Council or of committees of the Organisation.
- **International Agreements:** OECD legal instruments negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several ad hoc substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.