



Organisation for Economic Co-operation and Development

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**COUNCIL**

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**DRAFT RESOLUTION OF THE COUNCIL RENEWING AND REVISING THE  
MANDATE OF THE PUBLIC GOVERNANCE COMMITTEE**

**(Note by the Secretary-General)**

**JT03455107**

1. This document sets out, in its Annex, a proposal to renew and revise the mandate of the Public Governance Committee (hereafter “PGC”) as approved by the Committee on 15 November 2019 [[GOV/PGC\(2019\)12/FINAL](#)], and presents the results of the Committee’s review of the continuing relevance of its substructure as well as of the relevance and impact of the legal instruments under its responsibility.
2. The PGC was created on 30 September 1961 as the “Technical Assistance Committee”, became the “Public Management Committee” in 1989 [C(89)92(Final)], and was renamed the Public Governance Committee in 2003 [[C\(2003\)206](#)]. Its current mandate [[C\(2014\)152](#)] expires on 31 December 2019.

### Proposed Mandate Revision

3. The process for considering the renewal of the PGC mandate started in April 2019, when a guiding note prepared by the Chair and the Bureau was presented to PGC Delegates [[GOV/PGC\(2019\)12](#)]. This note outlined the context, rationale and key themes to guide the revision process and aimed to take stock of current trends regarding public governance and to propose ways to integrate these in the revised mandate in order to guide the PGC’s future work.
4. At its 14-15 November 2019 session, the PGC approved changes to its mandate [[GOV/PGC\(2019\)12/FINAL](#)], which reflect evolutions in Members’ priorities as discussed in:
  - the 2015 Public Governance Ministerial meeting, which underlined the importance of shaping a new vision for the public sector in the aftermath of the financial crisis and the subsequent loss of trust in public institutions;
  - the guiding note shared with the PGC in April 2019, which, *inter alia*, outlines the biggest drivers of citizen’s trust in government and how these should be incorporated in the PGC’s orientations for the next five years; and
  - the process of the renewal of the mandates of its subsidiary bodies, which allowed to flesh out trends, priorities and links to the PGC.
5. The main substantive changes to the mandate proposed by the PGC are the following:
  - a clear reference to institutions’ ability to promote systemic change as a means to improve outcomes for citizens and to strengthen democracy in the main objective of the Committee (paragraph a) of the revised mandate);
  - a greater emphasis on policy development, planning, implementation and evaluation (paragraph b), sections i and iii of the revised mandate);
  - the inclusion of forward-looking areas of work, such as:
    - public sector leadership and performance of public institutions (paragraph b), section vi);
    - citizen-centred service design and delivery, including systems change thinking, customer journey mapping, human centred design and data-driven approaches (paragraph b), section vii);

- stakeholder engagement throughout the policy cycle and the promotion of civic space (paragraph b), section ix); and
  - the use of governance tools to achieve societal goals (paragraph b), section x).
6. In addition, a few minor technical changes and corrections are proposed to update the references in the preamble of the Resolution.
7. It is proposed that the revised mandate, as set out in the draft Resolution in the Annex to the present document, should remain in force for a period of five years, until 31 December 2024. The draft Resolution would supersede all previous provisions concerning the mandate of the Committee. The Committee would return to the Council to propose a revision to its mandate should there be any major developments that warrant such a change.

### Review of the Continued Relevance of the Substructure

8. In accordance with Rule 21 c) of the OECD Rules of Procedure, the PGC undertook an evaluation of the continuing relevance of its substructure. This process was initiated as part of the Action Plan adopted by the PGC [[GOV/PGC\(2017\)22/REV2](#), see actions proposed to address Recommendation 2 on page 6], following its 2017 In-Depth Evaluation [[C\(2017\)72](#); [C/M\(2017\)13](#), Item 136], which led to a stock-taking exercise of the work performed by the PGC's sub-bodies in November 2018 [[GOV/PGC\(2018\)19](#)]. This stock-taking exercise allowed for the identification of two informal groups as candidates for their formalisation as sub-committees of the PGC: the Working Party on Gender Mainstreaming and Governance (GMG) and the Working Party on Open Government (WPOG). This formalisation was approved by the PGC in April 2019 [[GOV/PGC/M\(2019\)2](#), Item 3] and notified to the Executive Committee in May 2019 [[CE\(2019\)6](#) and [CE/M\(2019\)6](#)].

9. In this context, eight of the nine<sup>1</sup> PGC's level 2 subsidiary bodies made proposals with respect to the revision of their mandates in order to continue supporting the PGC's main and intermediary objectives in an effective way. PGC sub-committees responsible for level 3 sub-groups (*i.e.* the Working Party of Senior Budget Officials (SBO) and the High-Level Risk Forum (HLRF)) also undertook to consider whether the mandates of these sub-groups needed to be revised. In the case of the SBO, delegates approved the renewal of four sub-groups' mandates without amendment, allowing time for a more in-depth discussion of the SBO's substructure, including any potential amendment of the four sub-groups' mandates, to be conducted over the coming months [[GOV/PGC/SBO\(2019\)14](#)]. The renewal of the mandate of the Task Force on Illicit Trade (TF-CIT) was also approved by HLRF delegates [[GOV/PGC/HLRF\(2019\)2](#)].

10. The key activities and overall assessment of the continuing relevance of the nine subsidiary bodies of the PGC are summarised below.

11. During the mandate renewal exercise, sub-committees highlighted their contribution to the development of data and indicators underpinning the PGC's work, but also how their data collection and analysis fed into horizontal publications, such as the flagship publication *Government at a Glance* (recent thematic publications building on

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<sup>1</sup> Since the Working Party on Gender Mainstreaming and Governance's delegates were not nominated yet at the time of the consultation of the sub-committees, its mandate, approved in April 2019, was not revised.

indicators developed by PGC sub-committees further include *Budgeting and Public Expenditures in OECD Countries 2019* and *OECD Good Practices in Performance Budgeting 2019* (SBO)).

12. Sub-committees also underscored the leveraging of opportunities in several areas, including innovation, leadership and capability in the public sector, as means to enhance the performance of public institutions and service delivery for citizens. Work on these issues has resulted in the adoption of several legal instruments (see below at paragraph 17), including more recently the *Recommendation of the Council on Public Service Leadership and Capability* [[OECD/LEGAL/0445](#)] and the *Declaration on Public Sector Innovation* [[OECD/LEGAL/0450](#)].

13. Sub-committees have also put forward their work on areas of mutual interest, each looking at specific angles of a given topic in order to strengthen the PGC's understanding of these issues in order to provide multifaceted policy responses. For example, the question of trust in institutions was a key feature in the work done by the Working Party of the Leading Practitioners on Public Procurement (LPP), the Working Party of Senior Public Integrity Officials (SPIO) and the Working Party of Senior Digital Government Officials (E-Leaders), and has also been taken up by the newly formed WPOG. Furthermore, examples of strategic tools to support policy design, planning and implementation (identified as crucial elements by the Senior Officials from Centres of Government (CoG)), such as public procurement and budget, were highlighted by the SBO and the LPP.

14. Based on the elements of the evaluation process above, the PGC found that its substructure remained relevant to its main and intermediary objectives. Furthermore, the PGC approved the renewal of the mandates of each of its nine subsidiary bodies [see [GOV/PGC\(2019\)12/FINAL](#), Annex B], pending approval from the Council of the renewal of its own mandate.

## Review of the Relevance and Impact of the Legal Instruments

15. As part of the OECD-wide Standard-Setting Review [[C/MIN\(2018\)11](#)], committees are required to briefly discuss the relevance and impact of the instruments under their responsibility, and to identify possible follow-up actions to be undertaken, such as a revision or review of implementation every five years as part of the process for renewing their mandate (similar to the evaluation of the continuing relevance of their substructure(s)). In case follow-up actions are decided by committees, a sequenced timeline could be set up for the follow-up actions.

16. The PGC approved its Standard-Setting Action Plan on 17 March 2017 [[GOV/PGC\(2017\)4/FINAL](#)]. At that time there were 11 PGC legal instruments in force. The Action Plan included proposed actions for each of these instruments. It also foresaw work on three new instruments and the transfer of responsibility of one instrument to the Regulatory Policy Committee (RPC).

17. Since the approval of the Standard-Setting Action Plan, the following progress has been made:

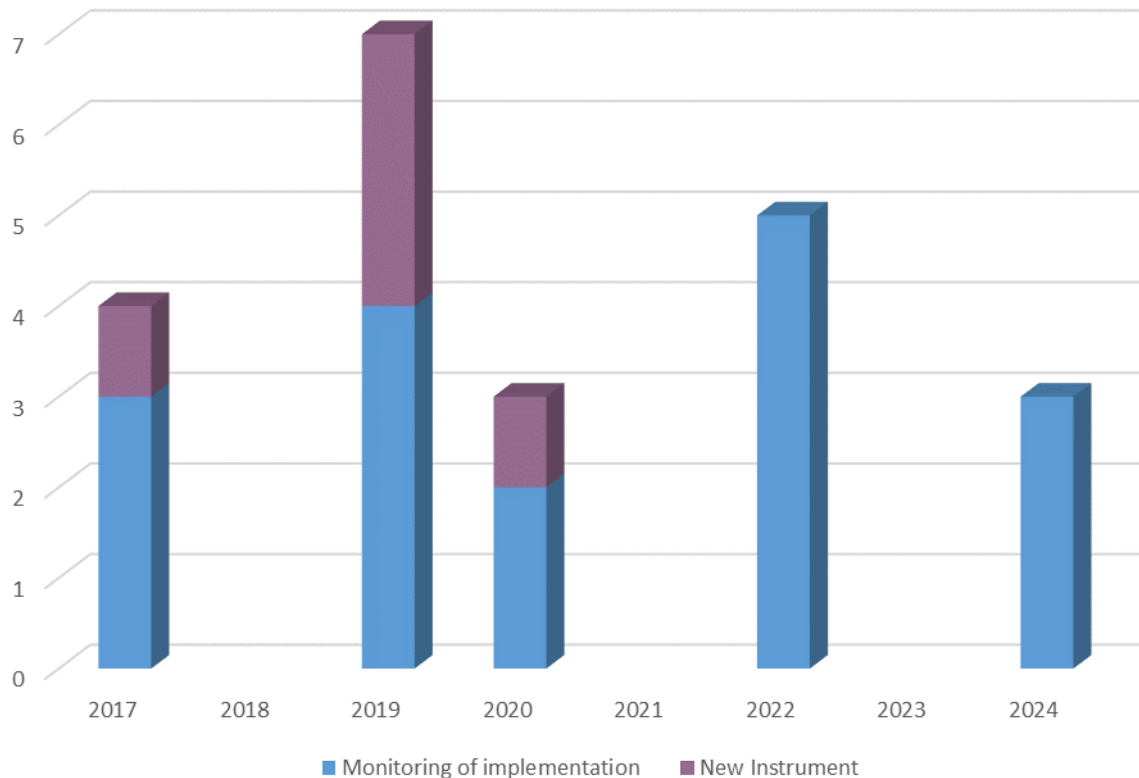
- Three proposals for new instruments contained in the Action Plan: two of the proposed new instruments have been adopted by the Council<sup>2</sup>. The third proposed new instrument on enhanced access to data is under discussion (see below at paragraph 19). In addition, two new instruments that were not foreseen in the Action Plan were adopted<sup>3</sup>.
  - One transfer of responsibility: at its July 2017 meeting, the Council transferred the responsibility over the *Recommendation on Improving the Quality of Government Regulation* [[OECD/LEGAL/0278](#)] to the RPC [[C\(2017\)80](#)].
18. As such, there are now 14 OECD legal instruments under the responsibility of the Public Governance Committee:
- *Recommendation on OECD Guidelines for Managing Conflict of Interest in the Public Service* [[OECD/LEGAL/0316](#)]
  - *Recommendation on Principles for Transparency and Integrity in Lobbying* [[OECD/LEGAL/0379](#)]
  - *Recommendation on Principles for Public Governance of Public-Private Partnerships* [[OECD/LEGAL/0392](#)]
  - *Recommendation on the Governance of Critical Risks* [[OECD/LEGAL/0405](#)]
  - *Recommendation on Principles for Independent Fiscal Institutions* [[OECD/LEGAL/0401](#)]
  - *Recommendation on Digital Government Strategies* [[OECD/LEGAL/0406](#)]
  - *Recommendation on Budgetary Governance* [[OECD/LEGAL/0410](#)]
  - *Recommendation on Public Procurement* [[OECD/LEGAL/0369](#)]
  - *Recommendation on Gender Equality in Public Life* [[OECD/LEGAL/0418](#)]
  - *Recommendation on Public Integrity* [[OECD/LEGAL/0435](#)]
  - *Recommendation on Open Government* [[OECD/LEGAL/0438](#)]
  - *Recommendation on Public Service Leadership and Capability* [[OECD/LEGAL/0445](#)]
  - *Declaration on Public Innovation* [[OECD/LEGAL/0450](#)]
  - *Recommendation of the Council on Free Trade Zones* [[OECD/LEGAL/0454](#)].

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<sup>2</sup> *Recommendation on Open Government* [[OECD/LEGAL/0438](#)] (reporting in 2020) and *Recommendation on Public Service Leadership and Capability* [[OECD/LEGAL/0445](#)] (reporting in 2024).

<sup>3</sup> *Declaration on Public Sector Innovation* [[OECD/LEGAL/0450](#)] adopted in the context of the 2019 Meeting of the Council at Ministerial level and *Recommendation on Countering Illicit Trade: Enhancing Transparency in Free Trade Zones* [[OECD/LEGAL/0454](#)] adopted by Council on 21 October 2019 (reporting in 2024).

Figure 1. Summary of the PGC's standard-setting activity



19. As shown in figure 1, since 2017 five reports on the monitoring of implementation of instruments have already been approved by the PGC; two of them were noted and declassified by the Council on 2 July 2019 [C/M(2019)12, Items 119-120].<sup>4</sup> Of the remaining five, three are expected to be finalised in 2020<sup>5</sup> and two in 2022<sup>6</sup>. The three new Recommendations will also entail a reporting to Council, as set out in footnotes 3 and 4.

20. One of the key outputs of the Standard-Setting Review is to identify areas where the OECD could develop new legal instruments on emerging and cutting-edge issues. This allows Delegates to identify any other areas of PGC work where scope exists to develop new legal instruments on emerging issues that are not being covered by other international

<sup>4</sup> Reporting in 2017: *Recommendation on Gender Equality in Public Life* [OECD/LEGAL/0418], *Recommendation on the Governance of Critical Risks* [OECD/LEGAL/0405] and *Recommendation on Digital Government Strategies* [OECD/LEGAL/0406] – next reporting of the three Recommendations in 2022. Reporting in 2019: *Recommendation on Principles for Public Governance of Public-Private Partnerships* [OECD/LEGAL/0392] and *Recommendation on Public Procurement* [OECD/LEGAL/0369] – next reporting for both Recommendations in 2024. To ensure that these instruments remain relevant, Council invited the PGC to continue monitoring their implementation and report back in the timeframes indicated above.

<sup>5</sup> *Recommendation on Budgetary Governance* [OECD/LEGAL/0410], *Recommendation on Principles for Transparency and Integrity in Lobbying* [OECD/LEGAL/0379] and *Recommendation on Principles for Independent Fiscal Institutions* [OECD/LEGAL/0401].

<sup>6</sup> Joint reporting for the *Recommendation on OECD Guidelines for Managing Conflict of Interest in the Public Service* [OECD/LEGAL/0316] and the *Recommendation on Public Integrity* [OECD/LEGAL/0435].

organisations or fora. Draft legal instruments under consideration and/or at different stages of preparation include:

- Draft Recommendation on Enhanced Access to and Sharing of Data (joint instrument with the Committee for Scientific and Technological Policy (CSTP) and the Committee on Digital Economy (CDEP)). This Recommendation was foreseen by the March 2017 Action Plan. Earlier drafts were discussed by the Working Party on Privacy and Security in the Digital Economy (SPDE) in May 2019 [[DSTI/CDEP/SPDE\(2019\)1/REV1](#)], by CDEP in July 2019 [[DSTI/CDEP/SPDE\(2019\)1/REV1](#)] and by the Working Party of Senior Digital Government Officials (E-Leaders) in September 2019 [[COM/DSTI/CDEP/STP/GOV/PGC\(2019\)1](#)]. An update on the development of this instrument has been provided to the CSTP at its October 2019 meeting and to the Working Party on Data Governance and Privacy in the Digital Economy (DGP) and the PGC at their November 2019 meetings.
- Draft revised Recommendation on Policy Coherence for Sustainable Development (joint instrument with the Development Assistance Committee): The fifth and final draft revised Recommendation [[COM/DCD/DAC/GOV/PGC\(2019\)1](#)] was sent to the PGC and to the DAC by written procedure. On 20 November 2019, PGC and DAC delegates approved its transmission to Council for adoption. The draft revised Recommendation is scheduled for adoption by Council at its December 2019 meeting [[C\(2019\)118](#)].
- Draft Recommendation on the Governance of Infrastructure: the PGC agreed, at its 14-15 November 2019 meeting [[GOV/PGC\(2019\)46](#)] to update the OECD Framework for the Governance of Infrastructure, and in the process to embody the Framework in a draft OECD Recommendation. The consultation process leading to this envisaged update will include relevant PGC sub-bodies and relevant OECD committees.

21. In addition, various efforts have been undertaken by the PGC to support the dissemination and implementation of the legal instruments under its responsibility. For example the Gender Mainstreaming Strategy adopted by the PGC in April 2019 [[GOV/PGC\(2019\)7](#)] supports the implementation of the *Recommendation on Gender Equality in Public Life* [[OECD/LEGAL/0418](#)] and identifies a number of good practices in the communication and dissemination of the instrument since its adoption, which has been recognised by the OECD Ministers at the 2019 Meeting of the Council at Ministerial Level [[C/MIN\(2019\)13](#)]. Furthermore, at its meeting on 14-15 November 2019 the PGC approved a Policy Framework for Sound Public Governance [[GOV/PGC\(2018\)26/FINAL](#)], which aims to connect strands of PGC work, including its standards, to give a coherent, integrated narrative across OECD work on public governance and will support the implementation of OECD standards on public governance.

## Proposed Action

22. In the light of the preceding, the Secretary-General invites the Council to adopt the following draft conclusions:

THE COUNCIL

- a) noted document [C\(2019\)168](#);

- b) adopted the draft Resolution of the Council renewing and revising the mandate of the Public Governance Committee, as set out in the Annex to document [C\(2019\)168](#), which will enter into force on 1 January 2020.



**ANNEX**  
**DRAFT RESOLUTION OF THE COUNCIL RENEWING AND  
REVISING THE MANDATE OF THE PUBLIC GOVERNANCE  
COMMITTEE**

**THE COUNCIL,**

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

**HAVING REGARD** to the Rules of Procedure of the Organisation;

**HAVING REGARD** to the Revised Resolution of the Council on Partnerships in OECD Bodies [[C\(2012\)100/REV1/FINAL](#)];

**HAVING REGARD** to paragraph 15 of the Report of the Preparatory Committee concerning the creation of a “Technical Assistance Committee”, which became the “Public Management Committee” in 1989 [C(89)92(Final)], and most recently the “Public Governance Committee” in 2004 [[C\(2003\)206](#)], whose mandate was last revised in 2014 [[C\(2014\)152](#)];

**HAVING REGARD** to the recommendations of the In-depth Evaluation of the Public Governance Committee [[C\(2017\)72](#)];

**RECOGNISING** the crucial importance of good public governance for creating the conditions for achieving results for the public, inclusive economic growth, raising trust in public institutions, helping to build resilient economies, improving people’s well-being, improving customer experience with public services, an engaged and skilled public sector workforce, fostering core public values, strengthening pluralistic democracy and sustaining the rule of law;

**RECOGNISING** the need for strategic direction and fiscal sustainability in a global and interconnected world economy, and to face unprecedented pressures, including the challenges of climate and long term societal change;

**RECOGNISING** the contribution of the public sector to the economy, including realising the potential of public sector innovation for improved problem solving, greater efficiency and productivity, better quality of service to citizens;

**RECOGNISING** the critical roles of sound strategic governance frameworks and the need to ensure cross-sectoral policy co-ordination, skills and capacity in the public sector, and to seize the potential of digital technologies;

**RECOGNISING** the challenges of policy implementation, to ensure that public governance reforms and innovations are practical, context-dependent and country-specific, addressing the same long-term goals;

**RECOGNISING** the shared interest for governance in development as a mutually beneficial investment for all countries;

**HAVING REGARD** to the proposed revision of the mandate of the Public Governance Committee [[C\(2019\)168](#)];

**DECIDES:**

A. The Public Governance Committee (hereafter the “Committee”) is renewed with the following revised mandate:

### **I. Objectives**

- a) The objective of the Committee is to assist Members and Partners in developing and implementing evidence-based and innovative policies that strengthen public sector institutions’ ability to promote systemic change as way to respond to economic, social and environmental challenges and thereby improve outcomes for citizens and strengthen democracy.
- b) The intermediary objectives of the Committee include:
  - i. identifying the current and emerging strategic public governance challenges that governments face and assessing the reforms implemented to identify leading practices and lessons learned for other countries,
  - ii. building and maintaining a body of robust quantitative and qualitative data and indicators on public sector inputs, processes, outputs, outcomes and performance, for carrying out comparative evidence-based analysis;
  - iii. formulating a set of policy instruments and management tools for effective policy development, strategic planning, policy implementation, performance management, and capacity building;
  - iv. identifying the public governance levers that can promote inclusive growth and resilient economies, taking into account fiscal constraints and offering guidance on good practices;
  - v. assisting countries in strengthening policy making and implementation through greater steering capacity in the centre of government that is directed at breaking down silos and focused on outcomes and measurable evidence-based practices which are grounded in the core values of the public sector and that take into account the political economy of reform and the tools that can help make reform happen in practice;
  - vi. facilitating a strategic shift in how governments function by developing an effective, efficient, agile, and responsive public sector workforce, including acquiring necessary skills, fostering innovation, strengthening investments in public sector leadership and performance of public institutions, attracting and retaining top talent;
  - vii. promoting citizen-centred service design and delivery, including systems change thinking, customer journey mapping, human centred design, data-driven approaches, experimentation with adoption of disruptive technologies, digitalisation and behaviour insights which will lead to innovative ways to rethink public policies and delivery systems, enabling wide-scale reforms;
  - viii. offering guidance for strengthening trust, openness, transparency and integrity of public sector institutions while building government’s capacity to manage critical risks;
  - ix. helping governments engage with stakeholders and civil society organisations in a participatory way throughout the policy cycle, particularly with

- disenfranchised groups, while promoting civic space and making better use of public communication for transparency and to enhance participation;
- x. exploring the use of governance tools, such as public procurement, to achieve societal goals such as gender equality, youth empowerment, access to justice and the Sustainable Development Goals, especially those related to Goal 16.
  - xi. developing and supporting the implementation of global standards of good public governance and assessing the performance of countries' public sectors through peer reviews, with a broader focus on results, inclusion and well-being;
  - xii. promoting a platform for open policy dialogue within the public sector, engaging with relevant stakeholders, including citizens, civil society, the private sector, parliaments and international organisations, and engaging with non-Members in accordance with the Global Relations Strategy on the role of governance in development.

## **II. Co-operation arrangements**

In order to achieve these objectives, the Committee shall:

- a) co-operate with other committees on matters related to public governance and participate in horizontal projects.
  - b) keep itself informed of the activities related to public governance and management carried out in other international organisations. It will promote and develop, as practicable, partnerships with these organisations and seek to ensure effective complementarities while avoiding duplication with other international organisations.
  - c) consider the views and input of Business and Industry Advisory Committee (BIAC) and the Trade Union Advisory Committee (TUAC) and other major stakeholders in the field of public governance.
  - d) encourage participation by non-Members in the Committee's work and engage in cooperation activities of mutual benefit with non-Members, either individually or through regional networks in line with the Global Relations Strategy.
- B. The mandate of the Public Governance Committee shall remain in force until 31 December 2024.