



CLAD

Centro
Latinoamericano de
Administración para el Desarrollo

IBEROAMERICAN CODE OF GOOD GOVERNMENT

PREAMBLE

The undersigned Governments, conscious of the need to bring together representatives and the people they represent, as well as of the convenience of enabling the tie between government and citizenry in a mutually shared development and justice project, driven by the wish to promote governments supported by widespread trust and respect for democratic institutions, subscribe this commitment with the citizens and the peoples, and pledge to implement it in full accordance to the values in which it is based.

The Code inserts itself within two different but complementary traditions. On one hand, it represents a further step in the search of a universal ethic, which would be the result of a consensus over the basic principles and values of global coexistence, namely: respect for sovereignty, international law, non interference in other States internal affairs, tolerance, peaceful coexistence, solidarity and cooperation; in sum, an ethic that would be consequential of a dialog between civilizations, respectful of cultural and social plurality of peoples diversity on the planet. On the other hand, the Code inserts itself within the universal tendencies that promote the construction of deontological or behavioral codes that guide a proper exercise of the different professional practices.

We, the undersigned, believe that any reasonably ordered society, in search of justice as a foundation of its coexistence, must respect the principles and values that allow all those affected by the norms to have an opinion, debate and argue, on equal terms, on the constitutional basis of coexistence, in order to foster from the debate models of development that can promote citizens participation, and also the elimination of poverty and of all forms of exclusion. This leads us to establish the principle of human dignity as a foundation of this Code, and the values of freedom and human beings autonomy and his elemental intrinsic equality, as essential values of development. Thus, in order to guarantee these fundamental options, it is necessary that a good government recognizes, respects and promotes all human rights –civil, political, social, cultural and economic–, in their interdependent and universal nature.

With this Code we pretend to contribute to socially dignify public service, and allow its members –authorities and civil servants– to be proud of performing an essential job for their community. In definitive, we aspire that government performance will consist in the practice of promoting general interest and will move away from the reprehensible abuse of public resources for the benefit of particular or partisan interests.

In conclusion, starting from the commitment acquired with citizens and peoples, and from our support of the democratic values of pluralism, we explicitly declare the following:

We consider unacceptable:

1. A Government that protects and facilitates corruption.
2. A Government that stands in the way of public scrutiny regarding its decision making.
3. A Government that does not take into consideration the needs of its citizens.
4. An irresponsible Government that is not accountable.

Therefore, we establish the following duties and principles:

I. Fundamentals

1. Realm of application. This Code will apply to the Presidents of the Republic, Vice Presidents, Heads of Government or Heads of Counsel of Ministers, Prime Ministers, Chiefs of Staff, Ministers, State Secretaries or their equivalent, and, in general, all the high offices of the Executive Power, such as vice ministers, undersecretaries, directors of public entities or general directors.
2. The basic principles that will guide the action of good government are:
 - a. Respect and recognition of human dignity.
 - b. Permanent search for general interest.
 - c. Explicit acceptance of people's government and political equality of all citizens and peoples.
 - d. Respect and promotion of institutions within the framework of the Rule of Law and social justice.
3. The values that will guide the action of good government are, in particular: Objectivity, tolerance, integrity, responsibility, credibility, impartiality, dedication to service, transparency, exemplarity, austerity, accessibility, efficiency, gender equality and protection of ethnic, cultural and environmental diversity.
4. It is understood that good government is the one that searches and promotes general interest, citizen participation, equality, social inclusion and the fight against poverty, respecting all human rights, democracy values and procedures, and the Rule of Law.

This Code, based on fundamental and known principles and values, is articulated in three types of conduct rules, those related to democratic nature of government, those related to governmental ethics and those related to public management.

II. Norms related to government's democratic nature

The Executive Power:

5. Will promote, recognize and protect human rights as well as citizens and peoples liberties, avoiding any action that could result in discrimination by reasons of birthplace, race, sex, religion, opinion or any other condition, personal or social circumstance that attempts against human dignity.
6. Will always pursue fulfillment of citizens and peoples general interests, and their decisions and actions will be based on objective considerations, oriented towards common interest, away from any other factor that expresses personal, family or corporative positions, and that could collide with this principle.
7. Will foster and guarantee transparent political debate and the information and participation mechanisms necessary for the development of said debate.
8. Will submit to law and promote and respect independence and impartiality of the Judicial Power, actively collaborating with its investigation activities.
9. Will try, when it applies and within the realm of its competences, that supreme courts or constitutional tribunals be held by renowned jurists with probity and reputable independence.
10. Will promote, by virtue of its legislative initiative and within the realm of its competences, norms of political financing, that guarantee equality among participants in elections, safeguard the independence of its decisions in the positions they hold, reasonably limit campaign spending, assure transparency of revenues and expenses, sanction in a fair and efficient way

any failure to comply with it, and protect enquiring activities of control institutions.

11. Will respect independence and assure material, personal and informative means, required in order that tribunals and electoral bodies perform impartially and efficiently their function.
12. Will assure impartiality and objectivity of public actions and civil servants professionalism, confronting, among others, spoil systems, nepotistic and patrimonial practices.
13. Will promote equality of rights, opportunities and treatment between men and women, and remove any obstacle that could stand in its way.
14. Will fight poverty, as well as social and cultural exclusion.
15. Will foster, in the realm of its legislative initiatives, recognition of ancient rights of the peoples and indigenous communities, and will promote affirmative action for its achievement.

III: Norms related to government ethic

The members of the Executive Power:

16. Will avoid the abusive use of power, especially regulatory, jurisdictional and informative privileges, used to persecute persons, institutions or enterprises which act within the framework of the law.
17. Will abstain from any private activity which could constitute a conflict of interests with their public positions. A conflict exists when those who hold important positions intervene in decisions related to affairs in which, actually or apparently, according to reasonable criteria, the interests of their public positions or their own private interests, direct family interests or interests shared with third parties, converge simultaneously or could converge in the future.

18. Will submit to all conditions and demands foreseen for the rest of the citizens in financial operations, patrimonial obligations or legal affairs they transact, without favoring or admitting favoritisms.
19. Will not accept any favorable treatment or any situation which implies privilege or unjustified advantage, from physical or juridical persons.
20. Will reject any present, favor or service, personal or familiar, rendered in advantageous conditions, which could condition their job performance, beyond habitual, social or courtesy treatments.
21. Will not influence, without just cause, the speeding up or the resolution of any formality or administrative procedure that could imply a privilege in benefit of the holders of these positions or their close family or social environment, a speeding up that could suppose a shortcoming of third party interests. Also, they will impede traffic of influences.
22. Will take responsibility at all times for their own decisions and their own acts, and for those organizations that they manage, without prejudice of others that would be legally demandable; will assume their responsibility before their superiors, and will not derive them to their subordinates without objective cause.
23. Will exercise their competences in accordance to principles of good faith and dedication to public service, abstaining not only from conducts contrary to the above, but also to whatever other conduct that compromises neutrality and the execution of public services at their charge.
24. Will avoid all improper use of information that becomes available to them by virtue of their position.
25. Will commit to the principle that the performance of positions and executive organizations of political parties, or in associations and foundations, will not, in any event, compromise the efficient and impartial exercise of their functions.

IV: Rules linked to public management

The members of the Executive Power:

26. Will act in accordance to the principles of legality, effectiveness, paucity, equity and efficiency, and will always be vigilant in regard to the consecution of the general interest and the accomplishment of the objectives of the State.
27. Will guarantee that public management has a focus centered in the citizens, and that its essential task is to continuously improve the quality of information, treatment and the rendered services.
28. Will guarantee the exercise of citizens and peoples right to information regarding the functioning of public services at their charge, with the specifications established by law.
29. Will be accessible, in the performance of their positions, to the citizenship and the peoples, and will treat efficiently and provide opportune answers to all the requirements and claims they make.
30. Will procure, in the exercise of their functions, that their performance is an effective reference of exemplarity in the execution of public service. This exemplarity should also be defused for the accomplishments of the duties that they, as citizens, are demanded by law.
31. Will administer with austerity material and financial resources of the State, avoiding any type of improper use.
32. Will protect the cultural heritage and the environment, within the framework of their competences.
33. Will guarantee the integrity, preservation and permanence of documents and official archives, with the objective of maintaining information that is essential for the State, and transmitting it to subsequent persons in charge.

34. Will promote the creation, the improvement of quality and the shared uses of statistics, data bases, government online portals, and, in general, of all that facilitates the internal work of their employees and the better access of the citizens to public service and information.
35. Will foster citizens and peoples participation in the formulation, implementation and evaluation of public policies, in conditions of equality.
36. Will promote the permanent evaluation of its programmes and policies, to assure their performance and efficacy. They will also foster a regulation that considers the impacts of the norms and their accountability, in accordance to the laws of each country.
37. Will promote and guarantee policies and programmes of civil service, training and formation that contribute to the professionalization of public administration.
38. Will give an adequate, dignified and respectful treatment to civil servants, involving them in the definition and accomplishment of the objectives and results of the organization.
39. Will promote a receptive and accessible administration, and the use of a clear and comprehensible administrative language for all persons and peoples.
40. Will guarantee the protection of personal data and the adequate classification, registry and archive of official documents, recognizing also the right of each citizen to know and update their personal data, in possession of the State.

V. Compliance with the Code

41. The signatory governments will autonomously determine the form of incorporating the content of the present Code to its practice and internal legislation.

42. The signatory governments will commit to execute a permanent follow up on the compliance of the Code, in order to assure its efficacy. The Executive Power will develop the necessary activities to promote this Code.

Montevideo, June 23rd, 2006

ARGENTINA	Juan Manuel Abal Medina
BOLIVIA	Iván Iporre
BRASIL	Valter Correia da Silva
CHILE	Edgardo Riveros
COLOMBIA	Fernando Antonio Grillo Rubiano
COSTA RICA	Kevin Casas
CUBA	José Vaz Gutiérrez
ESPAÑA	Francisco Javier Velázquez López
GUATEMALA	Harris Whitbeck
HONDURAS	Ricardo Arias Brito
MEXICO	Eduardo Romero Ramos
PANAMA	Héctor E. Alexander H.
PARAGUAY	Carlos Miguel Goiburú Vera
PERU	María Lila Iwasaki Cauti
REPUBLICA	
DOMINICANA	Manuel Ramón Ventura Camejo
URUGUAY	Miguel Angel Toma
VENEZUELA	Cecilia Guerra