

Avviso
Pubblico

Avviso Pubblico Charter



**CODE OF ETHICS
FOR
GOOD POLITICS**

www.avvisopubblico.it

Introduction

The European Commission, in its *Strategy to tackle Organised Crime 2021-2025*, wrote that “the local dimension is also key to reduce the space for criminal groups to fill their ranks”. The same awareness, in 1996, inspired the birth of Avviso Pubblico, an Italian national association that connects municipalities, provinces, and regions concretely committed to promoting and spreading the culture of transparency, responsibility, and integrity in order to prevent and tackle organised crime and corruption.

The many years of Italian experience in fighting mafias and corruption systems have shown that the action of law enforcement and the judiciary alone, while certainly necessary and important, is not enough. Politics, economy, and society must do their part as well, taking on their share of responsibility, both when choosing their leaders and in paying attention to the origin and use of the capital that fuels institutions, parties, movements, as well as economic and social development.

Armed with this belief, in 2012 our Association formulated and promoted the dissemination of a code of ethics for good politics called *Carta di Avviso Pubblico* (Avviso Pubblico Charter). Focusing on the principle of responsibility, the aim of the Charter is to strengthen transparency, integrity, and the accountability of the behaviour of those who hold a political office at a local, national and European level, and to facilitate the relationship between institutions and citizens, firmly believing that this contributes to concretely guaranteeing the pursuit of collective interests, to preventing malfeasance, to guaranteeing freedom, security and justice - principles also recalled in the preamble of the Charter of Fundamental Rights of the European Union - and to returning reliability and credibility to politics. Without reliability and credibility politics is weak and can be easily attacked by organised crime and corruption.

The Charter, which comprises 20 articles, provides concrete behavioural indications for local administrators and members of the national and the European parliament, about, for instance, the management of conflicts of interest, the exercise of

discretionary powers, the funding of political activity, and the relationship with stakeholders, the media, judicial bodies, other institutions, and citizens.

Recently, the European Commission has included the Avviso Pubblico Charter in the *Handbook of good practices in the fight against corruption*.

Roberto Montà
President of Avviso Pubblico



Avviso Pubblico Charter

CODE OF ETHICS FOR GOOD POLITICS

New edition

1. GENERAL PRINCIPLES

The provisions of this Code of Ethics (“Code”) constitute both an exemplification and a practical implementation of the principles of good performance, impartiality, and integrity in the exercise of public functions set forth in articles 54, 97, and 98 of the Italian Constitution.

The public administrator (“administrator”) shall carry out the public function entrusted to them with diligence, loyalty, integrity, transparency, equity, objectivity, and impartiality. They are committed to fulfil their mandate solely serving collective interests, avoiding behaviours that could harm the administration and any situation of conflict of interest. In order to do so, the administrator shall ensure full knowledge and transparency with regard to the purposes and the outcomes of their activity.

2. SIGNING THE CHARTER

The Code shall bind the people and the entities that adopt it or sign it publicly: administrators, political representatives elected in national and European institutions, representative bodies and all those individuals appointed by them within authorities, consortia, and companies. If the signatories have the power to discretionally appoint other individuals, their appointees shall be diligent in respecting, to the extent applicable, the principles formulated in the Code.

The subjects required to comply with this Code are committed to know, respect, and apply its provisions as well as its sanctions in the event of non-compliance.

The documents regarding the signing of the Code and the compliance with the commitments to undertake shall be made public to all citizens through the administration’s website.

3. GIFTS

The administrator shall not ask for and shall not demand, for themselves or others, gifts or other benefits, even in the form of discounts or favours. The administrator shall not accept - for themselves or for others, including immediate family, spouses, domestic/civil partners, relatives-in-law, and any relative up to the fifth degree - expensive gifts from subjects with whom they may come into contact in the exercise of duty. They shall accept modest gifts of the kind that people usually exchange for birthdays, anniversaries or festivities, and whose value is equal to or less than approximately €100.00 per year. The administrator shall not request and shall not accept any type of gift, advantage or benefit that is even indirectly linked to the services provided by their administration.

4. CONFLICT OF INTEREST

A conflict of interest, even potential, occurs when the administrator's personal interests - direct or indirect (family-related or connected to their economic or personal relationships) - compromise their judgment or decisions and provide them a specific advantage, for themselves or for the people related to them.

Should a situation of conflict of interest arise, the administrator shall disclose publicly such situation and abstain from any resolution, vote or other intervention during the decision-making process, even if there is no legal obligation to do so.

The administrator shall promote, within their institution, the adoption of rules and procedures capable of implementing the duty to abstain, in particular through specific codes of conduct and policies aimed at the political personnel.

5. EXERCISE OF DISCRETIONARY POWERS

The administrator shall integrate all their discretionary decisions with a public explanation of the general reasons that determined their decision.

6. UNDUE PRESSURE

The administrator shall refrain from requesting or demanding the execution of (or abstention from) any act causing their direct or indirect personal advantage from concessionaires, agencies, managers of public services, or contractors and suppliers through professional activities, provision of goods and services, and hiring of personnel. They shall adopt the same behaviour with actions leading to a similar advantage or economic gain for other subjects - including the administrator's relatives or relatives-in-law - or for organisations.

The administrator guarantees, to the extent applicable, the uttermost equity and transparency in public procurement and recruiting procedures, ensuring that internal regulations adjust to best practices.

7. RESTRICTIONS AFTER LEAVING OFFICE

The administrator who, in the last five years, has exercised decision-making or negotiating powers on behalf of the administration in local government bodies, with particular reference to those with over 15 thousand inhabitants, shall not carry out, in the three years after the term of office, work or professional service with private entities directly benefiting from decisions and activities in which the administrator took part.

8. MEMBERSHIP OF ASSOCIATIONS AND ORGANISATIONS

The administrator publicly discloses their membership of associations and organisations, even those of a confidential nature, with the exception of cases in which such disclosure may have implications in terms of privacy and data protection. They shall not exert pressure on or induce public employees or private individuals who have relationships with the administration to join associations or organisations with the promise of benefits or by predicting disadvantages.

9. TRANSPARENCY ON FINANCIAL INTERESTS

The administrator shall supplement the publication of the data on their income and patrimonial condition provided by law with a statement of financial interests whose deposit with the institution shall be communicated. The statement shall be accessible upon request by all interested parties.

10. FUNDING OF POLITICAL ACTIVITY

The administrator shall disclose and publish annually all the financial sources, both direct and indirect (i.e. through associations, organisations, foundations, study centers, and other entities in which they have a managerial position), of their political activity.

The administrator shall refrain from requesting or receiving funds and other forms of support for their political activity from concessionaires or managers of public services, from private individuals who have contractual relationships with the administration, and from individuals who have submitted a request to that administration, or have been the object of its acts and resolutions in the five

years preceding the administrator's end of office within proceedings in which the administrator has had a relevant role.

11. DEMOCRATIC DIALOGUE

The administrator shall keep separate their political activity and their administrative one, and shall interact with citizens abstaining from any form of favoritism or discrimination.

The administrator shall adopt behaviours that foster a relationship of trust and collaboration between citizens and the administration, proving to be widely available in their relations with citizens, encouraging participation and access to information, and facilitating the exercise and the protection of their rights.

During their mandate, the administrator acts with impartiality, takes decisions with uttermost transparency, rejects any undue pressure by making it public and, where applicable, by filing a criminal complaint in order to protect the public administration.

The administrator shall not take part in or cause situations of personal privilege or undue advantage for themselves or others with their administrative activity. The administrator shall not take advantage of such circumstances should such situations be offered to them.

The administrator shall adopt a behaviour appropriate to their institutional role in carrying out their mandate; shall respect the ideas and opinions of all administrators and political representatives, within a proper and civil exchange; shall promote the broadest possible freedom of expression; shall avoid tones and language containing offensive, discriminatory, intimidating or abusive messages and words.

12. PROMOTION OF THE CODE OF ETHICS AND CIVIC PARTICIPATION IN ADMINISTRATIVE ACTIVITIES

The administrator shall be responsible for the fulfilment of their mandate towards the community of the citizens, according to the principles expressed in the Code. The administrator shall respond diligently to any reasonable request relating to the performance of their duties, to their reasons, or to the performance of the services for which they are responsible, promoting transparency in the administration and in such services. They shall also guarantee the uttermost transparency and integrity in public sector bodies and authorities, and in outsourced services.

The administrator shall encourage the dissemination of the Code. They shall promote both the awareness of the principles contained in it among citizens, staff, and the media, and the verifiability of the fulfilment of commitments. In this

regard, they shall activate a participatory process that identifies the right tools that guarantee the full knowledge of the Code and the possibility for citizens to monitor the compliance with its provisions.

The administrator shall promote the knowledge of the activities of the institution, through both information and initiatives aimed at this.

The administrator shall encourage, through the activation of participatory processes, the involvement of citizens, groups, and associations in the formulation and the implementation of corruption prevention measures and tools. They shall also promote listening to the communities of citizens involved in civic monitoring, facilitating their access to all significant information relating to the administrative life of the institution.

If in the administered area there are assets seized or confiscated from criminal activities and organisations, the administrator - within their sphere of competence - shall promote the dissemination of information on them, shall encourage their use for social purposes, and shall advertise how they will be used.

Furthermore, they shall promote the dissemination of a culture of legality, public ethics, and transparency, also by supporting initiatives and events promoted by civil society, and they shall foster relationships with schools and universities in order to carry out joint actions on these issues.

13. RELATIONS WITH STAKEHOLDERS

In carrying out their duty, the administrator shall ensure full transparency and knowledge of their official contacts with citizens and stakeholders, meeting them only in public and institutional settings. They shall disclose their contacts with stakeholders, if they influence specific decision-making processes during the adoption of an act or a resolution.

The administrator shall promote the introduction, within their institution, of rules aimed at regulating the relationship with stakeholders and making it transparent.

14. RELATIONS WITH THE ADMINISTRATION

The administrator shall follow staff recruitment procedures based on principles involving recognition of merit and professional skills, based solely on the actual needs of the administration. As part of the exercise of their duties, the administrator shall enhance the role and tasks of their staff, adopting every measure aimed at encouraging the improvement of the services for which they are responsible, as well as the professional growth and motivation of the personnel. The administrator shall minimise the use of external consultants and collaborators when requiring support

for the political management bodies, and shall motivate their use.

In the case of recruitment and promotion of staff, or the appointment of individuals with top management and coordinating functions, the administrator shall adopt specific guidelines, and public selection procedures shall be objective and well-justified.

In carrying out their duty, the administrator shall respect the mission entrusted to the administration and the compliance with the relevant legislation on the autonomy of public managers and functionaries.

In their relationship with the functionaries in charge of anti-corruption measures and with other subjects in charge of control and audit activities, the administrator shall play an informed and proactive role, contributing to the achievement of high standards of integrity and transparency, and shall abstain from any form of undue influence over the autonomy of the officials involved.

The administrator shall promote training relating to transparency and integrity of public personnel.

15. REDUCTION OF WASTEFUL SPENDING AND DISSEMINATION OF GOOD PRACTICES

The administrator shall use and preserve the Administration's resources and assets with prudence and frugality; they shall publicly justify and report any extraordinary use of administration resources and assets. The administrator shall prevent and fight wasteful spending in all its forms and shall disseminate good practices in all the sectors of the institution's activity.

16. APPOINTMENTS

The administrator who appoints someone for an office or position within bodies, consortia, and companies using public tender procedures and after a comparative assessment of all candidates, shall promote and encourage that person's commitment to this Code.

The administrator shall not appoint subjects who have been committed to trial or are subject to personal and/or financial preventive measures for criminal offenses such as corruption, official misconduct, participation in a criminal organisation, drug trafficking, vote trade, and other offences against public order such as extortion, fraud, usury, money laundering, illegal waste trafficking, and other serious environmental crimes.

The administrator shall not appoint individuals who have been convicted, even if only with a judgement of first instance, with a prison sentence exceeding two years

for non-negligent crimes which, directly or indirectly, may damage the image and the reputation of the institution.

The administrator who discretionally appoints an individual, when such procedure is allowed by the law, shall provide adequate justification and shall pay specific attention to the competences, skills, and integrity of the person appointed. The administrator shall not assign tasks and offices to individuals who are family members, relatives-in-law, or relatives within the fourth degree of kinship, be they the administrator's own family and relatives, or those of other public officers of the institution.

The administrator shall abstain from appointing any individual in the last six months of their mandate, unless it is required by law.

The administrator shall supervise the subsequent compliance with the provisions of the Code by the appointed subjects. If violations are found, they shall implement all the necessary actions in order to ensure such compliance or to sanction the infringement, in accordance with the provisions of art. 19 of this Code.

17. RELATIONS WITH THE MEDIA

The administrator shall respond in a collaborative, sincere, and comprehensive way to any reasonable request for information from the press or other media with regard to the exercise of their duties, with the exclusion of confidential and classified information or facts strictly related to their private life.

The administrator shall encourage the adoption of every measure that favours the dissemination, in the media, of information on their expertise, on the exercise of their duties, and on the performance of the services that are under their responsibility.

18. RELATIONS WITH THE JUDICIAL AUTHORITY

In the presence of investigations relating to the activity of the institution, the administrator shall ensure full collaboration with the judicial authority, providing documentation and information useful for the investigation activity, and guaranteeing a similar collaboration from the offices.

The administrator shall promote and monitor the prompt adoption of all the disciplinary measures established against employees who have committed violations of their official duties or of codes of conduct, or who have committed criminal, administrative, or accounting offences.

In the event of investigations relating to their political or administrative activity, the administrator shall ensure - within their right to a defence - the collaboration with public prosecutors, and should the statute of limitations of their legal proceedings

expire, they shall evaluate the possibility to renounce it.

If they are committed to trial or are subject to personal and/or financial preventive measures for criminal offenses such as corruption, official misconduct, participation in a criminal organisation, drug trafficking, vote trade, and other offences against public order such as extortion, fraud, usury, money laundering, illegal waste trafficking, and other serious environmental crimes, the administrator, the individuals appointed by them, and the administration consultants shall resign. In the event of a final conviction or a plea agreement for crimes of embezzlement, bid rigging, illegal financing, the administrator, the individuals appointed by them and the administration consultants shall resign. In the event of a non-final sentence for crimes for which the law establishes suspension of office, the administrator shall comply with these provisions spontaneously and without delay.

If employees or other administrators of the institution are committed to trial for the above-mentioned crimes, the administrator shall encourage the institution to join the relevant trial as a plaintiff for civil damages. The administrator shall submit a complaint to the relevant national Court of Audit if the possibility of a financial damage caused by other administrators or employees of the institution emerges.

The administrator shall promptly report to the Public Prosecutor's Office any act of intimidation, threat, and direct or indirect attempt at corruption.

19. NON-COMPLIANCE SANCTIONS

If the administrator ascertains a failure to comply with the provisions contained in this Code, depending on the severity of the breach, they shall take the necessary measures in order to ensure such compliance or the imposition of the appropriate penalty of political or reputational nature: formal warning, public censure, termination of the appointment or of the fiduciary relationship.

In the event of a delay or inertia of the above-mentioned individuals in taking the measures formulated in the Code in case of non-compliance, the political groups in the Council, citizens, and stakeholders shall be able to publicly urge the administrators to comply with the relevant provisions.

20. ACCEPTANCE AND MODIFICATION OF THE CODE

The code shall be binding for the administrators after their individual acceptance of it, or its approval with a resolution of the relevant executive body or assembly/ council. In the latter case the members of the bodies or assemblies who have approved or have signed it shall comply with its provisions.

The procedure for modifying or integrating the provisions of this Code, initiated

upon the request of administrators or citizens, is open to debate and public participation.

The administrator shall promote - within the limits of their duties and authority - the integration of this Code within the framework of anti-corruption policies and with the regulatory provisions aimed at ensuring transparency, efficiency, accountability, and integrity in the exercise of public functions.

The administrator shall also support the adoption (or a renewal of the adoption) of this Code, when the political agenda or other planning acts of the public body are approved.

If procedures to amend a Statute are initiated, the administrator shall promote the presence of a code of conduct for elective representatives within such Statute.

Avviso Pubblico

THE NATIONAL NETWORK OF ANTI-MAFIA AND ANTI-CORRUPTION LOCAL AUTHORITIES

Avviso Pubblico. Local authorities and regions against Mafias and corruption is an association founded in 1996 with the aim of connecting and coordinating local administrators who are concretely committed to promoting the culture of democratic legality in politics, in the public administration, and in their communities. It currently has **more than 530 members** that include municipalities, unions of municipalities, metropolitan districts, provinces, and regions. Its president is Roberto Montà, former Mayor of Grugliasco (Turin).

Over the years, the Association has cooperated with several partners, including **Alleanza delle Cooperative Italiane, ARCI, Associazione Italiana Calciatori, Associazione Nazionale dei Comuni Italiani, Forum Italiano della Sicurezza Urbana, ALI-Legautonomie, Istituto per l'Innovazione e la Trasparenza degli Appalti e la Compatibilità Ambientale (ITACA), Libera. Associazioni, nomi e numeri contro le mafie**, and the Italian national trade union centres **CGIL, CISL, and UIL**.

The Association also collaborates with several Italian universities (including Ferrara, Pisa, Luiss, Verona) to carry out research, dissemination, and training activities. Avviso Pubblico has recently signed a memorandum of understanding with the **Italian Ministry of Justice**, making its own network of local authorities available in order to involve in educational and training courses people subject to criminal sanctions such as “community corrections”.

Several Italian **Parliamentary committees of inquiry**, including the one on the Mafias and the one on illegal waste dumping periodically meet Avviso Pubblico. Other meetings have been held with municipal or regional committees that focus on how to tackle Mafias and corruption. Moreover, Avviso Pubblico cooperated with the group of consultants of the Parliamentary committee of inquiry investigating on intimidations towards local administrators set up by the 17th Italian legislature. The Association also collaborated with the Antimafia Commission of the 18th legislature.

Through a specific Department, Avviso Pubblico organises online and in-person

training courses for local administrators and public administration staff. It also organises public awareness initiatives aimed at all citizens and pupils of several school stages.

Avviso Pubblico has activated the portal **Osservatorio Parlamentare (Parliamentary Watchdog)**. This tool daily monitors the activity of the Italian Chamber of Deputies and the Senate with a focus on measures preventing and fighting organised crime and corruption, and provides insights on specific topics. The **Osservatorio** is accessible online from the Avviso Pubblico website, a virtual space where the Association publishes institutional documents.

Avviso Pubblico has organised a **Database of good administrative practices** that gathers institutional documents, administrative files and records, and contacts of local administrators, managers, and public officials. The purpose of the database, which is accessible only to member institutions, is to disseminate good politics and good administration, creating a network of people who operate in the world of local authorities and regions.

Since 2011, the Association has issued the yearly **Administrators Under Attack Report**, in order to monitor intimidations towards the administrators and the staff of the Italian public administration. In 2016, in Polistena (Reggio Calabria), the Association organised the first National March of Administrators Under Attack that, together with the above mentioned Report and an appeal to the Parliament and the Government, contributed both to the establishment of a Unicameral committee of inquiry on intimidations towards local administrators and the approval of a specific law that tackles violence against local administrators (Law 105/2017). **In 2019 the Report was presented for the first time to the European Parliament in Brussels**. Since 2022 the Association has been invited to participate in the activities of the specific **Italian National Monitoring Centre** of the **Ministry of the Interior**.

With regard to preventing and fighting pathological gambling, Avviso Pubblico carries out two projects. The first one, called ***If this is a game***, is a website (www.sequestoeungio.org) created in collaboration with Adventum Foundation. This tool, aimed at people vulnerable to gambling disorder and their families, increases their awareness of the dangers linked to betting, and gives them information about institutions and associations that can provide help. The second one, ***The Gambling Trap***, was financed by Banca Popolare dell'Emilia Romagna and aims to increase awareness of the risks and dangers of the world of gambling. Ten recurring events in 5 Italian cities (Turin, Genoa, Rome, Naples, and Palermo) engage schools, citizens,

and local administrators in activities focusing on legality.

In order to promote good politics and good administration, the Association has formulated and disseminated the code of ethics called *Carta di Avviso Pubblico* (Avviso Pubblico Charter) that has been signed by administrators as well as by municipal councils and local governments whose names are published on the website. In 2023 the European Commission considered the Charter a good anti-corruption practice.

In 2016 Avviso Pubblico launched a book series about legality called “Contrappunti”, together with the *Specialisation Course on How to Tackle Organised Crime* of the University of Pisa, and the monthly magazine *Altreconomia*. The following books have been published so far: *Lose for Life. How to Save a Country from a Gambling Overdose*; *The (Im)possible Transparency. Everything You Need to Know about the Freedom of Information*; *The Dissolution of Municipalities Due to Mafia Infiltration. Analysis and Proposals*.

Avviso Pubblico and Valeria Scafetta published two graphic novels with Becco Giallo: *Stories of Innocent Victims of the Mafia* (2021) and *Women and Antimafia. Ten Courageous Leading Figures against the Mafia* (2022). In 2022, Avviso Pubblico launched a new book series called *AP-profondimenti* with the publishing house Rubbettino. The first book, *The Rognoni-La Torre Law: A Historical and Current Perspective*, was edited by Professor Enzo Ciconte.

During the COVID-19 pandemic, Avviso Pubblico launched **#Contagiamocidicultura** (*Let's spread culture*) on April 1, 2020. The project is divided into two sections. The first one is a **weekly programme** in which books on preventing and fighting mafias and corruption are presented directly by their authors through a short video published on all the Association's media channels. The second one is a **cycle of one-hour online video conferences** on the theme *Mafias in the Time of Coronavirus* that the public can follow live on the Association's Facebook page and YouTube channel, interacting directly with the speakers.

The Association writes a column in the magazine *Altreconomia* and in the newspaper *Domani*.

In the report on the fight against corruption in Europe, published in February 2014, the European Commission included Avviso Pubblico in the chapter dedicated to good practices. The Association's work is also cited in the Final Report of the Italian Antimafia Commission of the 17th legislature, and in the SVIMEZ Report on the

economy of Southern Italy.

Avviso Pubblico was awarded the “Mimmo Beneventano” Prize for the fight for legality, promoted by the Foundation of the same name, and the “Legality Award” of the City of Gavorrano.

The first twenty years of the Association's history were published in the book *Twenty Years Fighting Mafias and Corruption in Italy. The experience of Avviso Pubblico*, published by Rubbettino.

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