

# INNOVATION AND EFFECTIVENESS OF ETHICS POLICIES IN CENTRAL PUBLIC ADMINISTRATIONS IN EUROPE

## - EXECUTIVE SUMMARY -

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“Out of the rooked timber of humanity, no straight thing was ever made.”

(Immanuel Kant, Idee zu einer allgemeinen Geschichte in weltbuergerlicher Absicht“ (1784))

# EXECUTIVE SUMMARY

## Introductory remarks

1. Political and administrative ethics differ in many ways. This is a study about administrative ethics.
2. Moreover, it is a study of administrative ethics in the central public administrations in European countries and the EU Institutions. Again, more precisely, it is focused on the central staff, with a focus on civil servants (statutory staff) in some countries and the EU Institutions.
3. We note that countries apply different definitions of central public administrations (and, therefore, we felt a need to define CPA) and for different categories of public employees. In many countries, ethics policies and rules differ amongst categories of staff, for example, for top officials, civil servants, and public employees, and also for different categories of staff from different public authorities (ministries, agencies, central banks, court of auditors, etc.). The latter is important because international benchmarking studies apply state-centric approaches and rarely distinguish between different ethics regimes for different categories of staff.
4. In addition, definitions and concepts in the field of ethics policies also vary, for example, as regards whistleblowing (and even though an EU Directive exists in this field), revolving door policies, or disclosure policies. Meaningful national comparisons require taking into account cultural differences and attitudes. For example, some countries are reluctant to introduce detailed disclosure requirements because of privacy concerns. Other countries are less concerned. Therefore, in the future, benchmarking should refrain from simply analyzing selected indicators and comparing countries. Instead, differences in managing ethics should also be explained.
5. Next, responsibilities in the field of public ethics are strongly decentralized and, at times, fragmented. Therefore, countries found it difficult to provide answers and data for central public administrations (and instead provided answers on behalf of central public administrations and/or certain central organizations or institutions).
6. We note that while all participating countries and experts agree about the topic's importance, the term ethics policies encompasses a vast array of policies. At times, different central administrations manage these policies in very different ways and by very different instruments.
7. Moreover, there exists a shortage of data, for example, as regards the monitoring and enforcement of disclosure policies or revolving door policies.

8. At times, countries pursue ambitious ethics policies without having data or concrete information about the development, management, and monitoring of these policies. Still, monitoring and measuring ethics policies are continuously improving, especially in the field of corruption.
9. Consequently, we refrain from offering rankings and ratings, state-centric comparisons of ethics policies, and discussions of national best practices.
  - a. It is not possible to link the implementation of a specific national ethics management model with the theory of best practice. Countries focus on different instruments and institutional arrangements. Some countries focus on rules, others on value management, some focus on detailed disclosure requirements, others do not, whereas some focus on whistleblowing, others are more hesitant, some have centralized and independent structures, and others have highly decentralized structures.
  - b. Some countries do not perform better or worse if they prefer highly regulatory approaches, if they engage in very ambitious value-based strategies, if they have very detailed disclosure of interest systems, or if they adopt very ambitious revolving door programs. Instead, it is even possible that countries perform well that have not (yet) developed a fully-fledged ethics management system.
10. Still, countries' progress in the field of measuring ethics, especially in the field of measuring corruption.
11. In this study, we do not take a position that ethics policies are “good policies” because they are supposed to be ethical. Instead, we are interested in examining the effectiveness of ethics policies.
12. In this study, we present data from an international survey that we carried out between October 2024 and January 2025 (to which 26 countries, the EU Institutions, and hundreds of national authorities and agencies participated). Parallel to the analysis of the survey data, we have also examined existing academic evidence in the field (until May 2025). We also carried out several bilateral discussions with country representatives when engaging in the design, “cleaning,” and interpretation of the survey results.
13. As experienced researchers in the field, we are aware of national difficulties and burdens when answering these types of surveys, including workload and coordination needs. We, therefore, tried to minimize administrative burdens for the national respondents while also trying to avoid any overlap with the ongoing work (mostly) in the OECD and the Council of Europe/GRECO. Like this, we hope that this study presents truly new evidence in the field of assessing ethics policies.
14. Despite the above-mentioned limitations, many results of this study may be of great interest, added value, new, surprising, or even fascinating.

15. We wish to thank the national respondents for their engagement and support.

### **The importance of ethics policies and recent trends in the field**

1. Today, no day goes by without public discussions about ethics. As it seems, ethics policies are as important and popular as ever before.
2. At the same time, there is too little awareness about the importance of an (ethical) administration. Without a competent, capable, professional, ethical, and impartial public administration, nothing in society works. Modern societies depend on (public) institutions, such as hospitals, schools, universities, courts, local administrations, inspectorates, the police, military administrations, and ministries. As such, institutions provide stability, predictability, social cohesion, and security. Moreover, a high-capacity, professional, ethical, merit-based, and impartial public administration is critical to the performance and success of any society.
3. On the other hand, research evidence also points to an increase in violence and harassment against holders of public office and public officials. Ethics policies have become a political weapon and are being instrumentalized for many (personal) purposes. They are also played against each other: principles of transparency against privacy, principles of accountability against principles of efficiency, principles of diversity and anti-discrimination against principles of merit, principles of involvement (participation and inclusion) against principles of favoritism, principles of the rule of law against moral relativism (and one rule of law conception against another rule of law conception), principles of vulnerability, dignity, and recognition against the principle of individualism, autonomy or identity. Overall, we note that classical values and principles are threatened, and countries do too little to safeguard, protect, and promote good governance principles like the rule of law, impartiality, or merit.
4. We also note that political ethics have become subject to many personal, organizational, and political (party) interests. Contrary to this, administrative ethics are as complex and detailed as ever before. Still, neither has become more effective.
5. In administrative ethics, there's a good reason to recall a very classic principle: the public service ethos.
6. However, in a modified form. Today, the "We" (the public ethos) is inconceivable without the "I" (the importance of the individual). On the one hand, it is time to recall the importance of common principles like impartiality, merit principle, rule of law, and common good orientation. On the other hand, it is important to recognize the importance of individualization, individual interests, and partiality.
7. Today, it seems that individual and particular interests conflict with the common good. The I, which no longer recognizes a "we," drifts into meaninglessness. Its

freedom is exhausted in freedom from others. On the other hand, the “we”, which no longer recognizes individual rights and individual opportunities, drifts into authoritarianism.

8. But how does social interaction and a common ethos come about? This is a classic philosophical question. It is becoming virulent again in times when European societies are drifting apart. Today, it is clear that this interaction cannot be achieved through hierarchical state power, law and order, or individualism, egoism, fragmentation, isolation, and inequality. Rather, it must be achieved through a commitment to collaboration, coexistence, solidarity, cooperation, and the rule of law.
9. Public ethics should be better taught. Likewise, today, public officials should be better (and more practically) trained about administrative law—why we have administrative law, the constitutional structure for and constraints on public administration, the rule of law, impartiality, merit, enforcement, transparency, and judicial and legislative review of administrative activity. After decades of criticizing legalism and the existence of too many lawyers in the national public administrations, today, there is a need for more awareness about the importance of administrative law. Moreover, public officials must be supported in learning to be a responsible administrator and learn again how to use the constitution and the oath to uphold the law as the appropriate basis of ethical conduct.
10. Likewise, Public ethics must be wanted. They must be seen as important, useful and beneficial.
11. This, as such, is not a theoretical challenge. Instead, it is a daily life political issue.
12. Seeing the state and public administration only as a cost factor, as ineffective, inefficient, not successful, and not responsive, is counterproductive. Therefore, it is important to create more awareness about the successes of public administration, the importance of public administration, and the “value” of ethical administration.
13. In central public administrations in Europe, defining what is right or wrong, just or unjust, fair or unfair, ethical or unethical, differs in time, space, and from one administrative culture to another. Moreover, new ethical challenges are constantly arising, such as in the field of AI. When looking back, there has been no time without ethical challenges and conflicts. Also, today, ethical challenges seem to abound. However, there is no evidence that unethical behavior is increasing.
14. Overall, defining what is ethical is more difficult than defining what is unethical behavior. However, the purpose of ethics policies is not only to reduce unethical behavior. This is problematic because there is no final target of what should be achieved.

15. Still, (abstract) ethical values and principles are important because they act as important guidelines and frameworks. However, countries should better assess the daily life importance of values and principles in the central public administrations.
16. Respect, dignity, and (organizational) justice and fairness are the cornerstones of every ethics management system and public policy. Without these, unethical behavior would be a direct consequence. Many countries agree that, for example, austerity policies have critical effects on injustice and unfairness perceptions.
17. Most countries agree with this statement: *Because other things are more important than ethics and trust, ethics and trust are more important than any issue (D.) Thompson*). This could be interpreted as follows: Even if other public policies are taken more seriously than ethics policies, ethics policies are still a precondition for good and effective public policies.
18. We note that, without ethics policies, an increase in unethical behavior would be the consequence.
19. Pressures to reform national ethics policies vary, and the reasons why countries innovate ethics policies are manifold. In many countries, assessments by GRECO and various OECD studies have been particularly influential in this context.
20. Ethics policies are (often) scandal-driven. While we note that political scandals are, at times, tolerated (in our study, we take the example of President Donald Trump), this is much less the case in the administrative sphere. In politics, we also note that extremely high ethical standards (and expectations) exist alongside extremely low standards (and expectations). Also, over-narrativization and under-normativization seem to run parallel. All of this is not the case in the field of administrative ethics.
21. Contrary to tolerance for unethical political leadership, tolerance for unethical administrative leadership may even decrease. Instead, trends are rather towards ever stricter standards and zero-tolerance claims. This can be explained by general value trends: Overall, individuals seem to become more vulnerable to all sorts of perceived individualized integrity violations and injustice perceptions.
22. We note that, in principle, political affinity has little impact on attitudes towards ethics policies. As such, all political groups, parties, and political leaders should have no interest in corruption, fraud, conflicts of interest, and unethical behavior. All political groups underline the importance of ethics policies.
23. However, countries differ as regards attitudes towards trust, democracy, human rights, the independence of justice, the rule of law, impartiality, merit, transparency, equality, equal opportunities, (social) mobility, and the freedom of the press. Countries also differ as regards HR practices (here, we note that most

countries reported that recruitment policies are highly vulnerable to unethical behavior). Analyzing the relationship between different (good or critical) governance approaches, HRM reforms, and the impact on ethics is a daunting task. Overall, research in the field shows a strong relationship between good governance, organizational justice, impartial and merit-based management, and positive societal outcomes such as organizational (and country) performance.

24. Countries face fluctuating and different trust levels (in central public administration). Also, the definition of public trust differs. Ethics policies can contribute to public trust in the central public administrations. However, ethics policies are also as much distrust policies as they are supposed to discipline civil servants and deter civil servants from engaging in wrongdoing. We claim that (in democratic societies) skeptical trust in public institutions is important, not naïve trust. Moreover, trustworthiness is important. In times of crises, constant change, innovation, and growing complexity, trustworthiness is ever more difficult to achieve.
25. We note that more countries have abandoned a coherent and integrated strategy in the fight against unethical behavior. Take the case of the fight against discrimination. In this field, all countries agree that fighting discrimination is important. Going more into detail, all countries also share the belief that fighting age discrimination, or fighting discrimination amongst men and women, is important. However, they increasingly differ as regards the importance of fighting discrimination in the field of sexual orientation and the definition of vulnerability.
26. Attitudes towards the fight against unethical practices differ the closer we examine the various issues. Amongst all stakeholders and all political affiliations, perceptions are towards more ethical vulnerabilities, but as regards very different issues and policies. Either people feel that not enough is done in the fields of harassment and anti-discrimination (and the protection of LGBTQ persons), others that not enough is done as regards ethical communication and the use of language, respect, and politeness, or others feel that not enough is done to re-establish and protect traditional values and norms, like law, order, obedience, loyalty, political responsiveness and authority.
27. Different from our study in 2011, most countries are not any more interested in the adoption of new rules in the field of anti-discrimination and diversity.
28. Trends towards more differentiated attitudes amongst the European countries can also be seen as regards attitudes towards the merit principle: As such, all European countries subscribe to the importance of the merit principle. However, countries differ as regards the interpretation and application of the principle in practice. Most countries agree that recruitment policies are vulnerable to integrity violations.
29. Ethics policies can only be effective if they are integrated into other governance logics and fit into the national (cultural, political, and constitutional system).

Some countries have established highly professional integrity and ethics management systems. Ethics policies are in a process of constant refinement and becoming ever more professionalized. Still, effectiveness may be limited if other governance and public management reform trends produce new ethical challenges and conflicts, such as in the fields of mobility, outsourcing, or artificial intelligence.

### **Ethics management**

1. Studying the effectiveness of ethics management is a highly relevant, urgent, and under-researched subject. Still, ethics management is a “young” discipline.
2. Often, research about the effectiveness of ethics management is very inward-looking and focuses on ethics management, e.g., ethics instruments, processes, ethical leadership, training, awareness raising, oversight, culture, and control, etc. Often, research is *purely management-oriented* and not integrated with evidence from other disciplines like Human Resource Management, Political Sciences, Legal Studies (and EU law), or Organizational Behavior. *Vice versa*: It does not sufficiently consider the effects of other political, economic, organizational, managerial, and societal reform trends and their impact on public service ethics.
3. Ethics management in the public sector faces similar but also different challenges than ethics management in the private sector. Both fields should learn from each other. In the past, the public sector was more interested in best practices from the private sector than the private sector was in public sector practices.
4. In both sectors, ethics management is a borderline concept in the intersection of law, politics, economy, sociology, organizational behavior, and morality. This situatedness immediately also raises the deep question of the limits of the law. However, ethics management in the public sector is highly regulated and more so than in the private sector.
5. In both sectors, the term ethics policies encompasses a variety of different policies, ranging from anti-corruption, conflicts of interest, bullying, harassment, and leadership to anti-discrimination policies.
6. In both sectors, EU primary and secondary law have a different influence on the various policies. Whereas some policies are strongly “Europeanized” (like anti-discrimination policies), other policies are not regulated at all on the EU level.
7. In the public sector, some policies are specific to the public sector, like the management of revolving door policies, side activities, etc. Also, the ethical responsibilities of the public sector and of public employees are different from those of private employees in the private sector.



8. Whereas in the past, public organizations were rather seen as an amoral, impartial, and functional machine, today, trends are towards the moralization of organizations and HR policies (take only the concept of empathic leadership). Behind this is the great question about the moral responsibility of the organization. Should public organizations act more or less morally? Should they intervene more or less intensively in individual behavior? Should organizations manage, supervise, and monitor individual behavior? To what extent? Why should ethical credit systems be (not) the target to be achieved?
9. Ethics management should better consider the findings from behavioral sciences and the fact that unethical behavior is often committed by ethical people who unknowingly and intuitively make the wrong decisions (and because individual moral awareness and moral reasoning determine individual unethical and ethical behavior which also means that ethical persons act unethically, at times).
10. However, evidence from behavioral sciences should not lead to a too strong focus on individual causes of unethical behavior. Currently, ethics management is very much focused on the individual causes of unethical behavior, but not on the organizational causes. This logic should be reversed.
11. National ethics policies should be better aware of the pros and cons of the moral responsibility of organizations.

### **Institutionalization of ethics policies**

1. On the organizational level, the allocation and distribution of responsibilities in the field of ethics policies range from centralized to decentralized to individualized. The latter means that in some countries, policies are dealt with and managed differently from ministry to ministry or even from organization to organization. Only a few countries follow a centralized approach in the field of public ethics. This also means that many countries could not give a “country response” to several issues in the survey.
2. Parallel to this, trends are towards the institutionalization of ethics policies and the setting up of ever-new bodies, agencies, and committees with ethical responsibilities, but without clear institutional coordination and integration of responsibilities (institutional fragmentation). Countries experience legal fragmentation, policy fragmentation, institutional fragmentation, monitoring, and enforcement fragmentation.
3. Countries are not sufficiently aware of the emerging institutional fragmentation in the field. The same is the case as regards the fragmented allocation of responsibilities in HR offices and judicial who are in charge of monitoring side activities, gift policies, or even revolving door policies. As regards the question, *In the field of related policies such as gifts, side activities, disclosure, and revolving*

*door, are administrative responsibilities shared and fragmented, 80% of countries responded affirmatively.*

4. There is no clear trend towards the establishment of external and independent ethics bodies. Also, ethics bodies seem to vary greatly in terms of resources, capacities, mandates, and powers.
5. Research about the effectiveness of ethics bodies focuses too much on anti-corruption agencies (ACA). There exists very little research about the effectiveness of other ethics bodies, and also not about independent and external ethics committees/agencies.
6. Some countries or organizations assess and evaluate the effectiveness of ethics policies or the realization of values in practice, albeit very differently. There exists no evidence on whether countries engage in mutual exchange of information about these assessments. As such, it is beneficial and fruitful for countries if informal cooperation could be strengthened in this field. This would also allow for mutual learning about the use of methodologies, measurement, and data management.

### **Instruments, ethics policies, and leadership**

1. There exist many reasons/factors/pressures why countries reform and innovate ethics policies. Often, reforms and innovations are the result of internal and/or external pressures. As regards the latter, national CoE/Greco assessments and also various OECD studies had a certain influence on the national readiness to introduce change and to innovate ethics policies.
2. Still, ethics policies are also (often) scandal-driven and follow the logic of adapting ever-new and stricter rules, after these scandals have happened. Therefore, ethics policies are still (mostly) regulatory policies. It is noteworthy in this respect that many countries do not wish to introduce new rules (anymore) in some ethics policies, except in the field of Artificial Intelligence, and post-employment.
3. During the last decade, countries responded to ethical challenges, governance reforms, change, and innovation by introducing ever more complex (regulatory) ethics regimes and adopting ever more diverse hard- and soft instruments.
4. Still, there exists no evidence that more rules, codes, instruments, and more complex ethics policies also mean more effective ethics policies. Likewise, stricter standards and wider concepts are also not necessarily effective.
5. Overall, rules have not only become more numerous. Also, ethical concepts have become wider, standards more demanding and stricter, definitions more complex, and monitoring requirements more individualized.

6. Overall, in recent years, there has been an extreme refinement of ethical standards in some policies, at least in some countries.
  - a) For example, whereas in the past, Conflicts of Interest (Col) policies almost exclusively focused on nepotism and financial interests, later, Col were classified into two very broad types: pecuniary and non-pecuniary Conflicts of Interest. In the meantime, the definition of what could be considered financial and non-financial Col is changing. For example, current definitions include ever-new forms of non-financial Col. We also note an increasing overlap between the concepts of conflicting interests and conflicts of interest. This contributes to increasing confusion (about what should be a conflict of interest, and what should not) and trends toward inflation of the concept of Col. The broader the concept, the more efforts, skills, personnel, and capacities are needed to effectively implement and enforce these policies.
  - b) Expanding the concepts of harassment and discrimination to include ever more sources of personal vulnerability also threatens the effectiveness of implementing, monitoring, and enforcing these policies. It also creates the danger of an ever more emotional debate about individual vulnerabilities.
7. All of this does not suggest that deregulating ethics policies would be a solution. As such, being against more rules and standards is counterproductive. However, it is important to question the logic: ever more, ever stricter, ever better approach. With this logic, countries experience ever more administrative, monitoring, and enforcement burdens.
8. During the past years, trends have also been towards a widening of available tool-boxes, despite the still existing focus on rules (and codes), training, and awareness raising.
9. Overall, as regards the choice of instruments, there is still no consensus regarding the mechanism by which the various policies should be managed by what menu of instruments. In which sector and organization, and as regards which policy is a regulatory instrument, awareness raising, training, or transparency more (or less) effective? So far, countries have not started to investigate the right choice of instruments in various contexts.
10. Also, great uncertainties exist as to whether ethics policies should be a question of virtue and personal responsibility. As regards the latter, little evidence exists about the effectiveness of value-based management, behavioral instruments, or soft instruments like self-monitoring, self-management, virtue-based behavioral instruments like ethical nudging
11. In some countries, regulating and managing ever more potential sources of ethical conflict imposes a heavy burden on HR experts, ethics experts, and

implementing agencies and authorities. Here, non-financial disclosure requirements are a case in point. Whereas all countries accept the importance of managing and monitoring conflicts of interest, too strict and detailed requirements may also turn positive intentions into unnecessary ethical bureaucracies and bureaucratic micro-management. On the other hand, freeing ethics policies from ethical scrutiny is also ineffective.

12. The management of revolving doors, side activities, non-financial interests, and workplace aggression, like bullying, is considered the most difficult area to manage.
13. Overall, countries are in favor of testing and using an ever-wider menu of regulatory, managerial, institutional, behavioral, persuasive, and deterrent instruments. Amongst this training, awareness raising, codes of ethics, openness, and guidance are considered highly important. Interestingly, this interest cannot be backed up with clear scientific evidence about the positive effects of these instruments. Instead, research comes to very mixed results.
14. Economic instruments are not used widely in the field, and this is (most likely) not changing in the future. However, the effective management of conflicts of interest is strongly linked to the efficient management of (EU-) funds. Like this, countries have a vital interest in focusing on this area.
15. Next to rules and awareness raising, and training, ethical leadership is considered the most important instrument in the fight against unethical behavior. Also, trust and trustworthy leadership are commonly seen as important preconditions for effective leadership.
16. Leadership is considered a particularly powerful and effective instrument in the fight against unethical behavior. Likewise, countries also agree that ethical leadership is (frequently) lacking and is also the greatest pressure for unethical conduct.
17. However, despite the popularity of the concept of ethical leadership, this is also a very broad concept. Overall, it is unclear what type of leadership behavior impacts what type of ethical behavior. Likewise, it is unclear why the leadership is not becoming more ethical and which contextual factors play a role. As such, the link between leadership and outcomes should also not be mistaken for implying easy causal relationships. Overall, there is a risk that Ethical leadership research implies a feel-good world in which good deeds lead to good outcomes when the reality of leadership is highly complex, conflicting, and ambivalent.
18. Countries also recognize that ethical leadership faces many challenges. Being a trustworthy leader is considered a growing challenge in times of quickly changing environments and constant innovation. 62% of all respondents agree that it is becoming more challenging to act as a trustworthy leader.

19. AI is considered an entirely new challenge: It is expected to bring many benefits, but also critical challenges (especially in the field of data protection and protection of privacy), require new regulatory and managerial efforts, and produce new administrative burdens. It is still unclear how countries monitor the ethical risks (as mentioned in the EU AI Act) in the field of public administration and HRM.

## **Measurement and Monitoring**

1. We assume that there have never been so many efforts in the national central public administrations to better assess and monitor ethics policies and the effects of ethics policies. Countries invest in monitoring ethics policies, especially in the field of disclosure policies and through the setting up of anti-corruption bodies.
2. In the field of monitoring disclosure policies, most countries agree that monitoring requirements are increasing (as regards the number of persons, interests, issues, and concepts). However, still, monitoring the disclosure of interests differs from a few persons in some countries to 800000 persons in Romania. Thus, whereas in some countries, it is possible to identify the emergence of a disclosure monitoring bureaucracy, this is not the case in other countries.
3. Most countries report challenges as regards the checking and verification of disclosure.
4. Monitoring disclosure policies has also led to new problems and new contradictions: How to monitor disclosure policies effectively without intervening in privacy rights; how to monitor non-financial interests? How to measure and generate high-quality data in the field, how to enforce disclosure policies, while considering the principle of proportionality?
5. As regards monitoring and measuring ethics policies, data is very dispersed, does not exist at all (or as regards a number of issues), exists partially, or countries have just started to monitor and measure (mostly in the field of corruption). Against this background, it is extremely difficult for countries to respond to ethics surveys and to ensure the transfer of impartial information.
6. We also assume that there have never been so many efforts in the national central public administrations to better measure ethics policies.
7. On the international level (e.g., on the OECD level), trends are towards benchmarking national data and the measurement of integrity. However, our data also shows that data is very fragmented, and data management is highly decentralized. Whereas different sectors, agencies, and organizations measure (some) integrity policies, others do not (or apply different measurement methods and indicators). This leads us to question state-centric benchmarking. It is not

always clear whether the data displayed is on behalf of countries, civil services, central public administrations, or selected organizations. And if not, for whom is the data representative?

8. While we strongly support the need for (better) measurement of integrity policies, we also believe that it is important to intensify discussions about existing measuring challenges in other fields than in the area of corruption, mostly as regards definitions, concepts, measurement methods, and the “politicization” of data.
9. We note that, mostly, countries measure ethics policies in some areas, like the field of illegal behavior (corruption), and have statistics about disciplinary violations. But not (necessarily) as regards disclosure policies, revolving door policies, side activities, gift policies, or the costs of unethical behavior and of ethics policies.
10. Many countries report that measuring corruption, fraud, conflicts of interest, and other forms of unethical behavior is improving. However, we note that the focus is on measuring corruption. Measuring conflicts of interest and (sexual) harassment, and bullying is slowly improving. Measuring ethical leadership is (still) highly complex, despite improvements in the field (take the case of the Ethical Leadership Scale). The same concerns are measuring politicization, impartiality, and merit-based policies (as regards the latter, the OECD has started measurement).
11. Occasionally, countries measure the costs and benefits of ethics policies in some fields (like the field of corruption, fraud, and harassment). In most other fields, they do not measure costs and benefits. They also do not carry out regulatory impact assessments or measure administrative burdens in the field of ethics policies.
12. In the meantime, most countries have experience with ethical climate assessment. Some countries have started to assess the importance of values and principles in practice and in different sectors and organizations. We believe that countries should be interested in exchanging information and experience in these fields.
13. Overall, we note that acceptance and respect for ethical values and principles differ (considerably) in European countries. Here, the best documented is the situation in the field of corruption. However, as regards most forms of unethical behavior, such as in fields of conflicts of interest, (sexual) harassment, ethical leadership, and bullying, data is lacking, the quality of data is critical, measurement (of policies) is difficult, and definitions and concepts differ. Therefore, if countries want to know more about the outcomes of ethics policies, they should start by investing in better data management.

## **Enforcement**

1. The process of enforcing ethics policies is a “black box” and is not transparent. Little is known about the enforcement of ethics policies. If at all, public information exists about the number of criminal cases, disciplinary violations, and case law. However, little information exists about the daily practice of enforcing, for example, revolving door policies. To this should be added the fragmentation of enforcement practices, which contributes to the fragmentation of enforcement data. As a case in point, there exists very little evidence about the enforcement of revolving door policies.
2. Whereas criminal violations are dealt with by criminal courts, disciplinary violations are dealt with by administrative courts. However, many forms of misconduct are also monitored and enforced within the central administrations, mostly by HR offices and judicial units (in the field of violations of revolving door policies, side activities, or gift policies) or by conflict-of-interest bodies or agencies. Here, there exists neither transparency nor evidence of how internal administrations and officials enforce these policies.
3. Countries agree that if sanctions have a deterrent effect, they need to be credible, just, impartial, fast, and deterrent. Certainty matters more than severity. Also, people should be certain that ethical violations will be enforced.
4. There is a lack of information about enforcement decisions. In cases of disciplinary misconduct, central administrations mostly focus on issuing warnings or reprimands. Very few administrations have decided to remove a government official for ethical misconduct.

## **Costs and benefits of ethics policies**

1. Debating the costs and benefits of ethics policies is rarely taking place. However, engaging in such a debate and generating more evidence about benefits and costs could enhance the importance of ethics as a proper public policy.
2. Unethical leadership and organizational and individual unethical behavior are extremely costly in terms of image, attractiveness, organizational and individual productivity, organizational and individual performance, workplace commitment, health (sickness), trust, turnover intention, employee motivation, etc.
3. Costs of unethical behavior differ from policy to policy. So far, most evidence exists as regards the costs of corruption and fraud, followed by cost assessments of (sexual) harassment. Silo thinking hinders the establishment of integrated cost assessments for all ethics policies. Countries should better assess the costs of unethical behavior, for example, by comparing the costs of unethical behavior in comparable (international) samples (units, directorates,

agencies, or ministries, or amongst national central public administrations that agree to benchmark themselves in this field).

4. Likewise, ethical behavior is extremely beneficial. Slowly, evidence about the positive effects of good governance and ethics policies is hardening. Overall, good governance and ethics policies have positive effects on individual, organizational, and country performance, health, recruitment and retention policies, public sector, image, motivation, etc.
5. Increasingly, Countries recognize that ethics management and policies also pay for many other reasons like trust, trustworthy leadership, acceptance of the rule of law, etc.
6. Countries should better investigate the “added value” of ethics policies (they have done this in other policies for many years).
7. Overall, the importance of ethics is seen more from a utilitarian and less from a principled (teleological) point of view. Consequently, values and principles like the principle of the rule of law, impartiality, merit, etc., are becoming less important because they are not linked with immediate utilitarian consequences.
8. The (above-mentioned) cost-benefit utilitarian approach to ethics is also highly ambivalent: For example, ethics policies are also increasingly used as a political “weapon” (instrument).

### **Effects of AI on ethics policies**

1. As such, ethical policies produce several unintentional side effects such as more bureaucracy, higher costs, more intrusion into privacy, distrust, scandals, etc.
2. In the field of Artificial Intelligence, countries are confronted with a quickly changing context (and quickly changing ethical considerations, too!) Countries are aware of existing positive and highly critical challenges in the field. Currently, debates about the pros and cons of artificial intelligence are also highly ideological, which hinders a rational discourse about the integration of ethical concerns into AI. The potential of artificial intelligence is either seen as a huge opportunity or as a big threat and risk.
3. Still, when it comes to the implementation of AI in national public administrations, countries note a large number of positive effects while being cautious as regards the discussion of potential critical effects, as mentioned in the EU AI Act (and in expert and academic literature). Overall, country respondents anticipate critical effects as regards expected privacy and data protection challenges. However, they are optimistic that challenges can be managed.
4. One explanation may be that countries are eager to enjoy the benefits of AI first (and it needs to be acknowledged that AI has become an important international



competition factor). In fact, it seems to be challenging to manage both effects in parallel, without neglecting the opposite effects.

5. As it seems, trends are towards the management of risks through various forms of self-regulation and self-management (e.g., the setting up of internal AI ethics committees). This corresponds to the existence of many forms of internal and self-management in other ethics policies.
6. However, experience in other ethics policies shows that self-regulation and self-management are not considered particularly effective.
7. In the field of AI management, many countries envisage more administrative burdens in the future (also, as regards the implementation of the EU-AI Act) and an urgent need to train employees in the field of AI. So far, officials lack knowledge and insights about the potential of AI

### **Effectiveness of ethics policies**

1. Overall, Ethics policies suffer from a considerable implementation and enforcement deficit. Mostly, after scandals take place, politicians have strong incentives to demonstrate their responsiveness to voters by proposing new and stricter rules and standards. It seems, however, that the same incentives do not exist as regards the needed investments in the implementation and enforcement of policies. As political responsibilities and legitimacy are less clear, political incentives to invest in administrative capacities are weaker than for the adoption of policies
2. Still, driven by insights into implementation theory, there is a growing awareness that – when designing effective instruments – there must be a connection between the design of policies and the implementation of policies. Ideally, this means that any instrument should be tested (ex-ante) on whether it can be implemented and enforced, e.g., through regulatory impact assessments. Countries do this in most policies, but rarely in the field of ethics policies
3. Often, the introduction of new policies and rules is not followed up by sufficiently considering the need to allocate new personal, financial, and organizational resources for the implementation of these policies. As regards the latter, there is almost no discussion taking place about the capacity limits of administrations and how they can build capacities and keep pace with growing (regulatory) implementation requirements. Many countries complain about personal, technical, and financial shortages in the implementation process.
4. Moreover, the existence of policies, rules, and codes (for example, as regards revolving door policies) is not followed up with effective oversight practices of these policies. For example, many countries have clear rules and policies but no coordinated data management about the number of registered revolving door

cases (or, even more detailed, the number of prohibitions to take up a position in the private sector)

5. In fact, the (in-) effectiveness of ethics policies is not always linked to ethics policies, ethics management, or the implementation and enforcement of ethics policies. Often, ethics policies are compensatory policies that fill the gaps that other governance developments, reforms, and innovations produce.
  - a) For example, if mobility between the public and private sector is enhanced, governments change faster, politicization increases, and the delivery of public services is carried out by the outsourcing of policies, etc., ethics policies are confronted with ever more external challenges.
  - b) The claims of increasing interaction between the public and the private sector have also supported an increasing influence of some powerful people (oligarchs) or powerful private interests in decision-making and enhanced opportunities for more politicization, conflicts of interest, and corruption.
  - c) In almost all countries in Europe, a shift has been taking place from a stable and institutionalized policy advisory system to a more politicized, pluralized, flexible, and ad hoc policy advisory system. In the field of Human Resource Management, trends towards politicization, de-standardization, and individualization have also produced more demands for recognition of individual (political) interests. These trends are highly ambivalent and generate ever more conflicting interests.
6. Only on paper, the solution looks simple: Integrate ethical policy requirements into other policies and innovations. Start with ethics impact assessments (and not only with regulatory or impact assessments, as existing for many years in other policy areas). However, also here: In reality, integrating ethical concerns into other policies, such as in the field of Artificial Intelligence, is extremely difficult.



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