

Fairness and impartiality are expected of public servants in fulfilling their fundamental mission to serve the public interest. Public officials' conflicts of interest pose a threat to public trust. In this context, assuring transparency and accountability of public officials in their decision-making process is key to restoring trust in the government.

Disclosure of private interests of public officials is an effective tool for managing conflict of interest. Although it remains primarily public officials' responsibility to manage their conflict of interest situations, disclosure of their private interests can greatly aid in preventing apparent and potential conflict of interest situations. Furthermore, public availability of the disclosed information allows the general public to hold public officials more accountable of their official decisions and strengthens transparency in the process. However, disclosure and public availability of the information also concerns the public officials' right to privacy.

The level of disclosure and public availability of private interests differs across three primary branches of government, among which the legislative branch requires the highest level of disclosure and public availability in vast majority of the OECD countries surveyed. The "at risk" area including tax and customs officials, procurement agents and financial authorities display lower level of disclosure requirement compared to the three branches of government.

Within the executive branch, disparity of disclosure and public availability levels is observed between public officials. In OECD countries, the level of disclosure, on average, is closely related to the level of seniority. The top decision makers tend to have more obligations regarding disclosure of private interests followed by senior civil servants and political advisors or appointees. Disclosure requirements of private interests for public officials with higher decision making power have continued to be further expanded and developed in most OECD countries, especially for top decision makers in the Executive branch, including President, Prime Minister and Ministers. In fact, in 2014 gifts are prohibited or have to be disclosed for 73% of the top decision makers in OECD countries surveyed compared to 68% in 2009.

Public officials in some OECD countries such as Chile, Greece, Hungary, Korea, the Netherlands, Sweden, Turkey and the United States go beyond disclosing their own private interests and disclose as well those of some of their family members. In some countries, disclosure of family members' private interests is not obliged by law and is left at public officials' discretion to disclose where potential conflicts of interest could arise. This is the case in Canada and the Netherlands in an effort to balance transparency and public officials' privacy.

#### Methodology and definitions

Data were collected through 2014 OECD Survey on Managing Conflict of Interest in the Executive Branch and Whistleblower Protection. 32 OECD countries responded to the survey, as well as Brazil, Colombia, Latvia and Russia. Respondents to the survey were country delegates responsible for integrity policies in central/federal government.

"Executive branch" is one of the three primary branches of a government in most democratic countries – the other two being judicial and legislative branches. It includes the Prime Minister, and/or the President, ministers or members of cabinet and all agencies/departments under his or her direct control. The term "legislative branch" covers the positions of upper and lower house legislators. The term "judicial branch" covers judges and prosecutors. The "at risk" areas include tax and customs officials, procurement agents and financial authorities.

Top decision maker's level in Figure 7.4 is an average between that of Head of Executive and Ministers. Head of Executive refers to President or Prime Minister according to the country's political system. Where executive power is shared between President and Prime Minister, the average between the two is taken. More detailed information is available online at <http://dx.doi.org/10.1787/888933248855>.

When calculating an aggregate of the country-specific data, all private interests and all positions were deemed equally important and were therefore assigned the same weights. The private interests include assets, liabilities, income source and amount, paid and non-paid outside positions, gifts and previous employment. Annex D provides detailed data on private interest disclosure and public availability and information on calculation methodology.

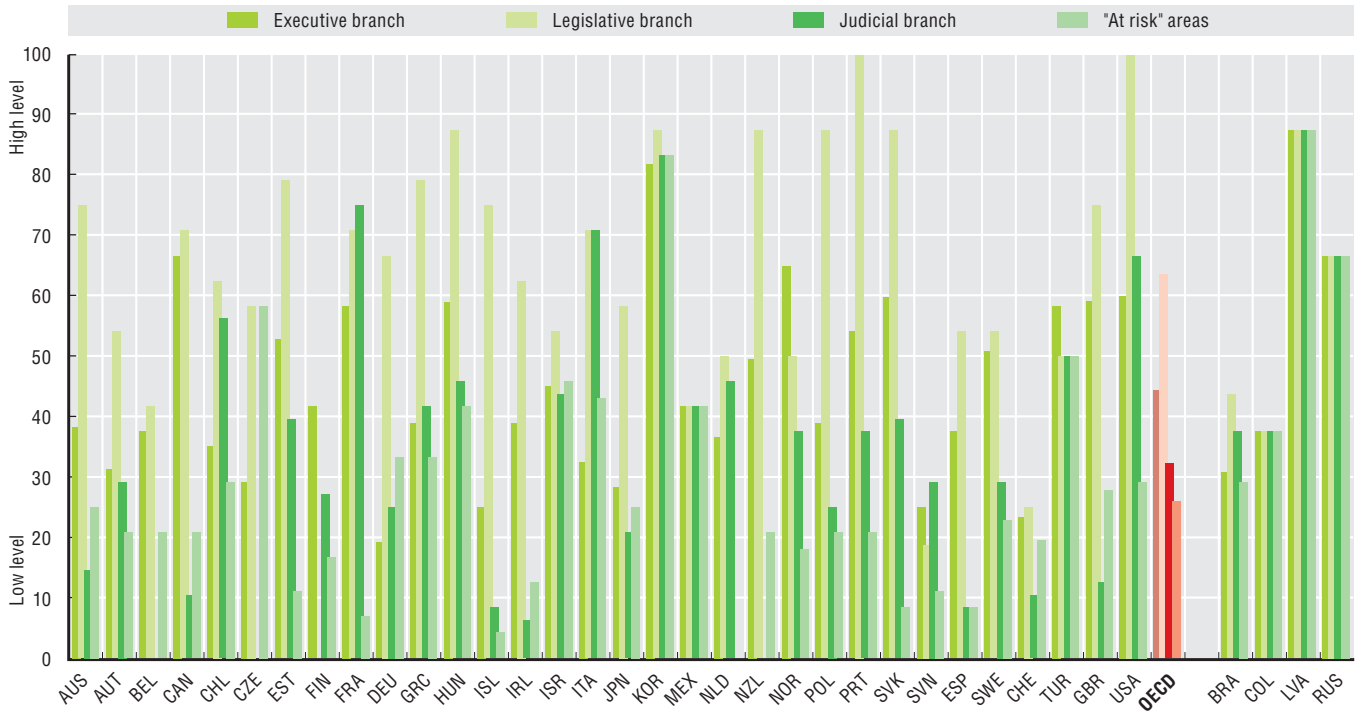
#### Further readings

- OECD (2007), *OECD Guidelines for Managing Conflict of Interest in the Public Service: Report on Implementation*, OECD, Paris.
- OECD (2003), *Recommendation of the Council on Guidelines for Managing Conflict of Interest in the Public Service*, OECD, Paris.
- OECD (1998), *Recommendation of the Council on Improving Ethical Conduct in the Public Service Including Principles for Managing Ethics in the Public Service*, OECD, Paris.

#### Figure notes

- 7.3: Data unavailable for Denmark and Luxembourg. Data for Mexico on legislative branch and judicial branch are from 2012.
  - 7.4: Data unavailable for Denmark, Iceland and Luxembourg. See Annex D for more detailed information.
- Information on data for Israel: <http://dx.doi.org/10.1787/888932315602>.

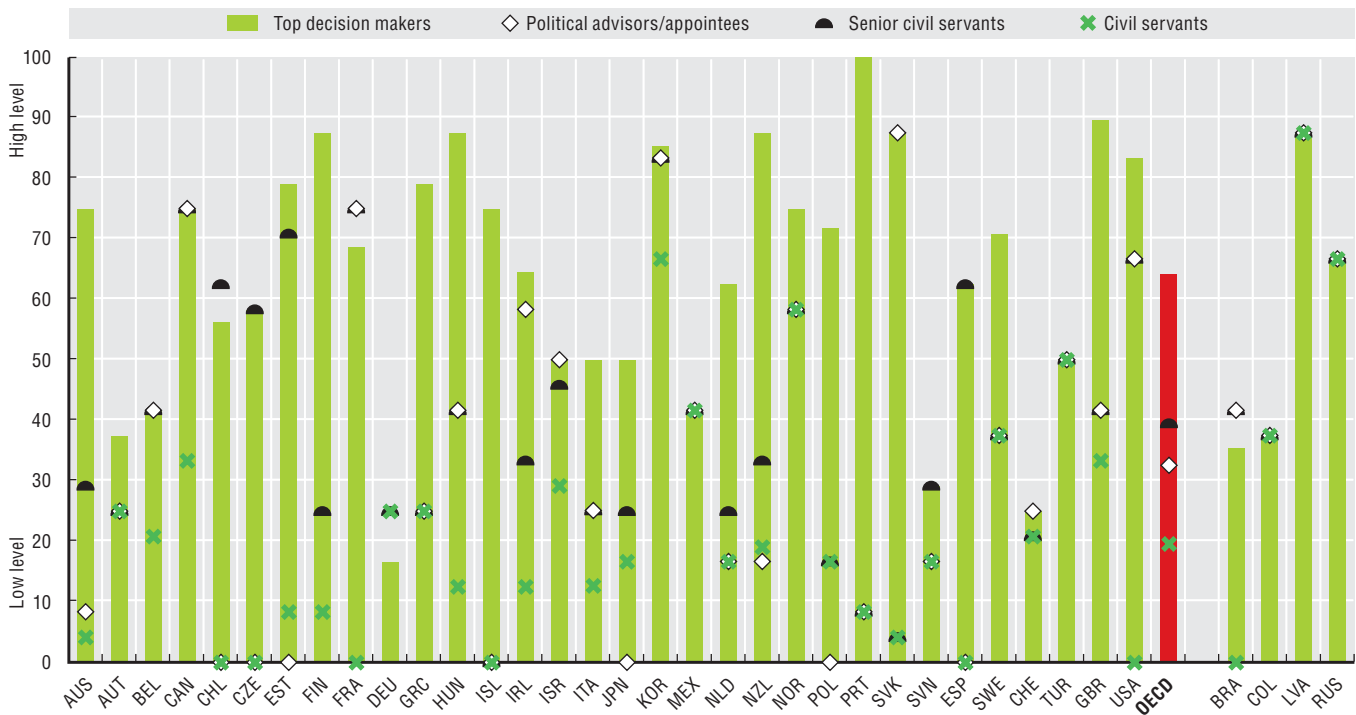
7.3. Level of disclosure and public availability of private interests across branches of government, 2014



Source: OECD (2014), Survey on Managing Conflict of Interest in the Executive Branch and Whistleblower Protection, OECD, Paris.

StatLink <http://dx.doi.org/10.1787/888933248848>

7.4. Level of disclosure and public availability of private interests by the level of public officials in the executive branch, 2014



Source: OECD (2014), Survey on Managing Conflict of Interest in the Executive Branch and Whistleblower Protection, OECD, Paris.

StatLink <http://dx.doi.org/10.1787/888933248855>



**From:**  
**Government at a Glance 2015**

**Access the complete publication at:**  
[https://doi.org/10.1787/gov\\_glance-2015-en](https://doi.org/10.1787/gov_glance-2015-en)

**Please cite this chapter as:**

OECD (2015), "Asset disclosure", in *Government at a Glance 2015*, OECD Publishing, Paris.

DOI: [https://doi.org/10.1787/gov\\_glance-2015-34-en](https://doi.org/10.1787/gov_glance-2015-34-en)

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