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*Plenary sitting*

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**B9-0145/2023**

14.2.2023

## **MOTION FOR A RESOLUTION**

to wind up the debate on the statements by the Council and the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the establishment of an independent EU ethics body  
(2023/2555(RSP))

**Gilles Boyer**  
on behalf of the Renew Group

**European Parliament resolution on the establishment of an independent EU ethics body (2023/2555(RSP))**

*The European Parliament,*

- having regard to its resolution of 19 September 2021 on strengthening transparency and integrity in the EU institutions by setting up an independent EU ethics body<sup>1</sup>,
  - having regard to the political guidelines for the next European Commission 2019-2024, presented on 16 July 2019 by Ursula von der Leyen in her capacity as candidate for President of the European Commission,
  - having regard to the Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interest,
  - having regard to its resolution of 15 December 2022 on suspicions of corruption from Qatar and the broader need for transparency and accountability in the European Institutions<sup>2</sup>,
  - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas integrity, transparency and accountability are essential for maintaining the trust of Union citizens in the legitimacy of the political, legislative and administrative processes of the Union;
- B. whereas citizens’ trust in public institutions and decision-making processes is a pillar of any democratic government and requires exemplarity, integrity, transparency, accountability and the highest standards of ethical behaviour;
- C. whereas ethics standards already exist within the institutions, but are very fragmented and solely rely on a self-regulatory approach;
- D. whereas the ethical standards applicable to the EU institutions are in many respects ahead of those applicable to their national equivalents but they have not been enforced in a satisfactory manner;
- E. whereas current ethical standard frameworks at EU level are tailored to the specificities of each EU institution, leading to different processes and levels of enforcement even of the same EU Staff Regulations in different EU institutions, agencies and bodies, thus creating a complex system which is difficult for both EU citizens and for those who have to respect the rules to understand;
- F. whereas the example of the ‘Haute Autorité pour la Transparence de la Vie Publique’ in France demonstrates that a single and independent body responsible for the monitoring, enforcement and sanctioning of ethical rules applicable to public bodies is an effective

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<sup>1</sup> OJ C 117, 11.3.2022, p. 159.

<sup>2</sup> Texts adopted, P9\_TA(2022)0448.

and powerful tool able to achieve a long-lasting reduction in unethical behaviour;

- G. whereas the Meroni doctrine developed by the Court of Justice of the European Union (CJEU) allows for the delegation of EU institutions' competences to external bodies, including competences that are not yet exercised; whereas according to the CJEU, any delegation of competences must be limited and can only relate to clearly defined powers, the use of which must be entirely subject to the supervision of the delegating institutions and cannot concern discretionary powers involving any political judgement in order not to jeopardise the balance of powers between the institutions;
- H. whereas Parliament outlined its position calling for an ambitious ethics body in its resolution of 16 September 2021;
1. Reiterates its call for the setting up of an independent Ethics Body to ensure the consistent and full implementation of ethics standards across the EU institutions to guarantee that public decisions are taken with a view to the common good and citizens' trust in the EU institutions; calls for the Ethics Body to be entrusted with investigative powers;
  2. Considers that the new EU ethics body should be delegated a list of agreed tasks to propose and advise on ethical rules for Commissioners, Members of the European Parliament and staff of the participating institutions before, during and in some cases after their term of office or service in line with the applicable rules;
  3. Recalls that the independent Ethics Body should work on establishing a common definition of conflict of interest for the EU institutions on the basis of the highest standards;
  4. Stresses the need for the body to protect whistleblowers, in particular European public officials, so that they can express their concerns about possible violations of rules without fear of reprisals; recommends a revision of the Staff Regulations, especially Article 22c thereof, in order to align it with the standards of the Whistleblower Directive; reiterates its calls on the Bureau, in the interim, to immediately revise Parliament's Internal Rules Implementing Article 22c of the Staff Regulations to bring them in line with the protections provided for in the Whistleblower Directive;
  5. Believes that the independent EU ethics body should have the right to start an investigation on its own initiative and to conduct on-the-spot and records-based investigations based on the information it has collected or that it has received from third parties;
  6. Stresses that the Ethics Body should have the possibility to check the veracity of declarations of financial interests and assets;
  7. Considers that the body should issue recommendations to the appointing Authority in dealing with ethical obligations for staff, and that in relation to Members of the European Parliament or Commissioners, the body should issue recommendations to the responsible authorities of the respective participating institutions;
  8. Proposes that the EU ethics body should be given the task of developing an EU public

portal with relevant information on ethical rules, reports on best practices, studies and statistics, as well as a database containing the declarations of financial interests of all the participating institutions;

9. Insists that the independent Ethics Body is to be supported by a secretariat with the human, material and financial resources commensurate with its mandate and tasks; considers that the pooling of budgets and personnel currently allocated to the various EU ethics bodies when merging them would improve efficiency in the use of resources and might reduce costs;
10. Recommends that the independent ethics body should have the possibility to engage in cooperation and information exchange with relevant EU bodies such as the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO), the Ombudsman and the European Court of Auditors, within their respective mandates;
11. Calls again on the Commission to come forward as soon as possible with a proposal to set up the Ethics Body in line with the resolution by the Parliament, as adopted on 19 September 2021; commits to work as fast as possible in accordance with the principle of sincere cooperation in order to finalise the negotiations by the summer;
12. Stresses that Parliament must play a key role in the process of enhancing the current EU ethics oversight system applicable across all EU institutions, agencies and bodies, in order to increase public trust in the EU decision-making processes;
13. Instructs its President to forward this resolution to the Council, the Commission and the European Ombudsman.