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*Plenary sitting*

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**B9-0148/2023**

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))

**Sven Simon**

on behalf of the PPE Group

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

*The European Parliament,*

- 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 special report 13/2019 of the European Court of Auditors of 19 July 2019 entitled ‘The ethical frameworks of the audited EU institutions: scope for improvement’,
- having regard to the Code of Conduct for Members of the European Parliament,
- having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas suspicions of foreign corruption, involving at least four current and former Members of the S&D Group as well as staff and non-governmental organisations (NGOs), has rightfully increased public and political scrutiny of the current standards and practices within Parliament and other institutions;
- B. whereas the separation of powers is of paramount importance for upholding the values of the Union in accordance with Article 2 of the Treaty on the Functioning of the European Union (TFEU); whereas in any polity respecting the rule of law, criminal actions can solely be adjudicated by the judiciary;
- C. whereas Parliament’s previous resolution of 16 September 2021 on strengthening transparency and integrity in the EU institutions by setting up an independent EU ethics body<sup>1</sup> recalls some of the minimum standards that need to be respected in the application and further development of the EU ethics framework, including the freedom of mandate, rule of law, due process and the right to appeal;
- D. whereas the European Court of Auditors stated in its special report 13/2019 1a on the ethical framework of the EU that Parliament, Council and Commission ‘have to a large extent adequate ethical frameworks in place for both staff and Members’;
- E. whereas the Interinstitutional Agreement between Parliament, the Council and the Commission on a mandatory transparency register<sup>2</sup> entered into force on 20 May 2021; whereas the NGOs at the centre of the Qatargate scandal were not registered, yet had unhindered access to the European Parliament; whereas subsequent revelations have uncovered significant oversight and accountability deficits for stakeholders acting on behalf of, or with funding from, non-EU countries;

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

<sup>2</sup> OJ L 207, 11.6.2021, p. 1.

1. Calls for the establishment of a joint body for standards in public office to carry out an independent investigation of existing standards and rules in the institutions; underlines that this advisory body should play a preventive role by raising awareness and providing guidance on how to avoid conflicts of interest for members of the participating institutions; notes that the scope and competences of such a body need to be well defined; renames its proposal of 16 September 2021 accordingly;
2. Insists that a clear distinction between criminal acts, breaches of institutional rules, and legal but unethical behaviour needs to be made; emphasises that Parliament's previous resolution of 16 September 2021 insufficiently addresses this distinction;
3. Notes that the responsibility for investigating criminal acts lies solely with the competent European or national authorities; believes that in the Qatargate case transnational police and judicial cooperation have proven effective;
4. Believes that in a democracy, members of the legislative body engaging in unethical but legal behaviour should be held accountable by the public and the electorate;
5. Underlines that Parliament is currently reviewing its institutional rules framework and will be taking concrete reform measures to increase simplicity, transparency and effective enforcement of its rules;
6. Notes that internal rules and additional bodies will not eliminate the abstract possibility of any future criminal behaviour by individual Members, former Members, staff or officials at other European institutions;
7. Emphasises that in the Qatargate case NGOs were allegedly used as vectors of foreign interference in European democracy; urges a review of existing regulations with the aim of increasing NGOs' transparency and accountability in their interactions with Members;
8. Recognises that the 'revolving doors' phenomenon also applies to NGOs and urges further study of conflicts of interest in this regard; emphasises that Members must in all circumstances avoid conflicts of interest and therefore must without delay recuse themselves from working on matters that pertain to the field of work of NGOs they have received remuneration from;
9. Instructs its President to forward this resolution to the Council and the Commission.