



Plenary sitting

B9-0151/2023

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))

Jacek Saryusz-Wolski
on behalf of the ECR Group

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

The European Parliament,

- having regard to the Treaty on European Union,
- having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the recent Qatargate scandal has laid bare serious systemic weaknesses in the European institutions, which have been repeatedly exploited through the behaviour and activities of their members and officials;
- B. whereas Qatargate is just the tip of the iceberg because the problem affects all the European institutions and also other non-EU countries;
- C. whereas the balance of powers assigned to the institutions is a fundamental guarantee conferred on EU citizens by the Treaties;
- D. whereas, in accordance with the principle of conferral, the institutions cannot delegate by means of an interinstitutional agreement powers that they themselves do not have, for instance where the Treaties confer such powers on the Court of Auditors or the Member States retain exclusive competences;
- E. whereas the principle of institutional balance in the EU implies that each of its institutions has to act in accordance with and within the powers conferred on it by the Treaties, in line with the division of powers;
- F. whereas the establishment of an independent EU ethics body was proposed in Parliament's resolution of 16 September 2021¹; whereas, as set out in the aforementioned resolution, this body would function as a de facto in-house EU body, whose members would be designated by the EU institutions;
- 1. Points out that the resolution of 16 September 2021 envisages the ethics body eventually gaining decision-making powers, which would infringe on the balance of powers between the institutions; regrets the fact that the ethics body as proposed would include three members selected by the Commission, i.e. de facto members of the executive branch, which would be in breach of the separation of powers; regrets the deep flaws in the proposal set out in the aforementioned Parliament resolution, on account of which the EU ethics body would not meet the standards of independence and impartiality in its actions;
- 2. Points out that the establishment of an ethics body in the form called for in Parliament's resolution of 16 September 2021 would overlap with existing provisions on ethics and

¹ European Parliament resolution of 16 September 2021 on strengthening transparency and integrity in the EU institutions by setting up an independent EU ethics body, OJ C 117, 11.3.2022, p. 159.

transparency and require additional expenditure;

3. Underlines, in this context, that it is crucial to respect the framework of the Treaties, first and foremost by maintaining balance and institutional autonomy;
4. Points out in this regard that it is crucial to support the adoption of instruments that, while respecting the Treaties, contribute to the enforcement of ethical rules applicable both to holders of high public office in the EU and to employees of the EU institutions;
5. Stresses that the only possible solution is an external EU ethics body established separately from the EU institutions themselves and thus able to act free of their influence;
6. Believes that the EU ethics body should be composed of 27 members, with one delegated by the national parliament of every Member State;
7. Stresses that in order to ensure the independence of the EU ethics body, its members should not be, or have been in the past, actively involved in the work of the EU institutions; points out that this would guarantee that they would not be biased towards any institution in their activities;
8. Considers that such an independent and external EU ethics body should be assigned a comprehensive and wide-ranging remit, including advisory, monitoring and investigative powers;
9. Stresses that, in the meantime, it would be more efficient to incorporate additional initiatives to improve transparency and integrity into the existing ethical framework;
10. Instructs its President to forward this resolution to the Commission, the Council and the governments and parliaments of the Member States.