



Plenary sitting

B9-0312/2023

5.7.2023

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

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

on the establishment of an independent EU ethics body
(2023/2741(RSP))

Manon Aubry, Leila Chaibi
on behalf of The Left Group

B9-0312/2023

European Parliament resolution on the establishment of an independent EU ethics body (2023/2741(RSP))

The European Parliament,

- having regard to its resolution of 16 September 2021 on strengthening transparency and integrity in the EU institutions by setting up an independent EU ethics body¹,
 - 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 institutions²,
 - having regard to its resolution of 16 February 2023 on the establishment of an independent EU ethics body³,
 - having regard to its resolution of 16 February 2023 on following up on measures requested by Parliament to strengthen the integrity of the European institutions⁴,
 - 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 Commission President’s mission letter of 1 December 2019 to Věra Jourová, the Vice-President designate for Values and Transparency,
 - having regard to Commission President Ursula von der Leyen’s letter to the Council of 18 March 2022 including the Commission’s follow-up to the European Parliament’s non-legislative resolution of 16 September 2021 on strengthening transparency and integrity in the EU institutions by setting up an independent EU ethics body,
 - having regard to the Commission communication of 8 June 2023 entitled ‘Proposal for an interinstitutional ethics body’ (COM(2023)0311),
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the Commission committed to the establishment of an independent ethics body as early as the beginning of its term, including both in the President’s political guidelines and in Commissioner Věra Jourová’s mission letter;
- B. whereas Parliament broadly supported a proposal for setting up a strong and independent ethics body in its resolution of 16 September 2021;

¹ OJ C 117, 11.3.2022, p. 159.

² OJ C 177, 17.5.2023, p. 109.

³ Texts adopted, P9_TA(2023)0055.

⁴ Texts adopted, P9_TA(2023)0054.

- C. whereas the weak Commission proposal for an interinstitutional ethics body has been published, while the investigation into the allegations, known as Qatargate, of money-laundering, corruption and participation in a criminal organisation by several Members and one staff member, is still ongoing;
- D. whereas the independence, transparency and accountability of public institutions and their elected representatives, Commissioners and officials are of the utmost importance for fostering citizens' trust, which is necessary for democratic institutions to function legitimately;
- E. whereas cases of conflicts of interest, a lack of transparency and the lack of asset and interest disclosures in the Commission have been revealed in the last few months, including former Commissioner Avramopoulos's paid involvement in the Fight Impunity association and a lack of transparency concerning Commissioner Schinas's trips to the Gulf region;
- F. whereas the shortcomings in the current EU ethical framework derive largely from its self-regulatory approach and the lack of the necessary human and financial resources and competences to verify information, carry out investigations and propose and enforce sanctions; whereas the establishment of a strong and independent ethics body is essential for restoring trust in the European institutions and their democratic legitimacy;
- G. whereas the freedom of mandate of the Members of the European Parliament does not in any way prevent the establishment of such an independent ethics body and its attached prerogatives, including investigative and sanctioning powers; whereas no legal analysis has ever demonstrated any such restriction;
- H. whereas the Qatargate scandal invites the European institutions to seriously address failures in the fight against corruption and putting in place broader transparency, integrity and accountability measures;
1. Takes note of the long-awaited Commission proposal for an independent interinstitutional ethics body ('the Body');
 2. Is profoundly disappointed by its clear lack of ambition, while Parliament has waited almost the entire parliamentary term for this proposal and while the European institutions are undergoing the most serious bribery scandal in their history;
 3. Deeply regrets the off-topic mandate proposed, which amounts to a voluntary interinstitutional working group for the minimum harmonisation of ethical rules rather than an authority ensuring respect for ethical rules; deeply regrets the quasi-non-existent powers, the lack of independence and the extremely insufficient human and financial resources proposed for the Body; notes in particular that it can neither investigate nor sanction cases of corruption, conflicts of interest and other breaches of ethical rules;
 4. Recommends an ethics body that tackles the structural conflicts of interest between political and economic powers within the EU institutions;
 5. Recalls its position that the Body should be able to investigate alleged breaches of ethical rules by current or former members and staff, and publicly recommend sanctions

for the responsible institutions to apply, in order to ensure consistent standards and enforcement across the institutions and other parties involved;

6. Considers that the Body should not only be able to verify declarations of financial interests, but also investigate breaches of the rules concerning conflicts of interest, revolving doors, the publication of information and other cases of misconduct;
7. Considers that the Body should be able to investigate breaches of the code of conduct of the transparency register and abusive lobbying practices;
8. Considers that, in order to ensure the consistent application of the ethical standards and predictability, decisions by the Body should be binding and enforceable;
9. Regrets the fact that the Commission has not proposed merging the functions of the existing bodies responsible for ethics in order to be fully effective, as recommended by Parliament in its 2021 resolution;
10. Reiterates its call to include the staff of the institutions within the scope of the proposal;
11. Notes that the Commission has proposed five independent experts, as observers, to advise the members of the Body; regrets their position as observers and not as full members; recalls its proposal to appoint former judges of the Court of Justice of the European Union, the European Court of Auditors and former EU Ombudsmen with full recommendation and voting powers;
12. Is against a decision-making procedure of its members based on consensus; underlines that this would result in aligning decisions on the lowest ethical standards, particularly considering that some institutions covered do not have a code of conduct;
13. Regrets that the development of common minimum standards is so vaguely defined that each party would still have very different practices, in particular regarding cooling-off periods, the main tool against revolving doors;
14. Notes that each party would carry out a self-assessment of its internal rules and their alignment with the standard developed by the Body; condemns this self-regulatory approach which is at the very heart of the problem regarding accountability, integrity, transparency and the fight against corruption in the institutions;
15. Regrets that the ethical rules in each institution will remain dependent on the interpretation and level of ambition of each institution: fears that the ethical rules will therefore not be improved;
16. Is concerned by the very low provisional budget for the Body, which jeopardises its possible efficiency; underlines that the mid-term multiannual financial framework negotiations should be the occasion on which to increase its budget; notes that the provisional budget is three times less than the amount of money seized by the police in the context of Qatargate;
17. Recalls its position on sufficient human resources to be devoted to the Body; points that the Commission proposal of two full-time employees (AST grade) and one full-time

employee per participating party (AD grade) is not sufficient, in particular to ensure its ability to check the veracity of declarations of financial interests and assets, and to investigate other breaches of ethical rules; considers that this low provisional budget proves that the Commission is only proposing a forum for interinstitutional discussions rather than an EU ethics body;

18. Recalls its position that the Body should have the right to start investigations at its own initiative and to conduct on-the-spot and records-based investigations using the information that it has collected or that it has received from third parties;
19. Deems that the upcoming revision of the Treaties would be the ideal opportunity to include a binding requirement for all EU institutions, bodies and agencies to establish such an independent ethics body; notes that under the interinstitutional agreement, participation is voluntary; is concerned that less willing institutions, agencies and bodies might not participate;
20. Regrets the fact that the proposal does not include a call to ban Members of the European Parliament from performing paid side jobs or activities, in particular as managers or consultants, or as members or directors of the boards of directors or advisory boards of publicly listed companies;
21. Takes view that, against this backdrop, Parliament should continue to improve its internal rules on ethics, based on the highest standards; believes that Members' declarations of interests and assets should take the best practices in national parliaments as an example to follow; suggests that the Advisory Committee on the Conduct of Members should play a proactive role, including the ability to act on its own initiative, deal with complaints directly and, most importantly, decide on sanctions;
22. Calls on the Commission to urgently revise its proposal accordingly;
23. Instructs its President to forward this resolution to the Council and the Commission.