



Plenary sitting

B9-0314/2023

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 the EU Ethics Body
(2023/2741(RSP))

Gilles Boyer
on behalf of the Renew Group

**European Parliament resolution on the establishment of the EU Ethics Body
(2023/2741(RSP))**

The European Parliament,

- having regard to the Treaty on European Union, in particular Articles 9, 10, 13, 15(3) and 17(3) thereof, and to the Treaty on the Functioning of the European Union, in particular Article 298 thereof,
- 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 Parliament’s 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 President’s mission letter of 1 December 2019 to Věra Jourová, the Vice-President designate for Values and Transparency,
- 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 the role of President of the European Commission,
- 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 institutions¹,
- 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 body²,
- having regard to its resolution of 16 February 2023 on the establishment of an independent EU ethics body³,
- having regard to the Commission proposal of 8 June 2023 for an interinstitutional ethics body (COM(2023)0311),
- having regard to the Code of Conduct for Members of the European Parliament,
- having regard to its Rules of Procedure, in particular Rules 2, 10, 11 and 176(1) thereof, Articles 1, 2, 3, 4(6), 5 and 6 of Annex I thereto, and Annex II thereto,
- having regard to Regulation No 31 (EEC), 11 (EAEC) laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community⁴,

¹ OJ C 177, 17.5.2023, p. 109.

² OJ C 117, 11.3.2022, p. 159.

³ Texts adopted, P9_TA(2023)0055.

⁴ OJ P 045, 14.6.1962, p. 1385.

- having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the President of the Commission committed to establishing an ethics body in her political guidelines in July 2019; whereas she invited the Vice-President of the Commission for Values and Transparency to make the same commitment in her mission letter to her;
- B. whereas the recent corruption revelations have rightly increased public and political scrutiny of the current standards and practices within Parliament and other institutions; 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;
- C. whereas ethics standards already exist within the EU institutions, but are very fragmented and rely solely on a self-regulatory approach; whereas the creation of an independent ethics body should contribute to strengthening trust in the EU institutions and their democratic legitimacy;
- D. whereas Parliament reiterated its call for a genuine, independent EU ethics body in its resolution of 16 February 2023, since the Commission had yet not presented a proposal on the matter more than one year on from the adoption of Parliament’s resolution on 16 September 2021;
- E. whereas the Meroni doctrine developed by the Court of Justice of the European Union allows for the delegation of EU institutions’ competences to external bodies, including competences that are not yet exercised;
- F. whereas the Commission finally came forward with a proposal for an ethics body on 8 June 2023, but that proposal does not reflect Parliament’s ambition for an ethics body;
- 1. Considers that the interinstitutional ethics body proposed by the Commission falls short of being a genuine ethics body by any standard, as it has no independence, no power of investigation and no capacity to recommend sanctions;
- 2. Deplores that the Commission came forward with such an unambitious proposal in the final year of the parliamentary term, despite the commitment made by the President of the Commission in her political guidelines when she first took office;
- 3. Believes that in order to be fully effective, the body should merge the functions of existing bodies responsible for ethics; reiterates that an EU ethics body should be delegated a list of agreed tasks to propose and advise on cases and rules for Commissioners, Members of the European Parliament and staff of the participating institutions before, during and in some instances after their term of office or service in line with the applicable rules; considers that, in order to ensure the consistent application of ethical standards and predictability, advice should be binding for the independent EU ethics body in its position on the same matter;
- 4. Recalls that the body should have the right to start investigations on 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; recalls that the body should also have the possibility to check the veracity of declarations of financial interests and assets;

5. Stresses that the body should be able to issue recommendations for sanctions 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; reiterates that the ethics body should issue recommendations that can serve as precedents in identical or similar cases; considers that this will ensure efficiency, consistency and predictability;
6. 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;
7. Recalls that its proposal envisages a nine-person body composed of independent ethics experts, instead of one member from each participating institution;
8. Considers that the single positive element of the Commission proposal is that the proposed body is intended to cover all nine institutions and bodies mentioned in Article 13 of the Treaty on European Union;
9. Calls on the Commission to repeal its proposal for an interinstitutional ethics body and to come forward with a new proposal for a genuine independent EU ethics body in line with Parliament's resolution of 16 September 2021;
10. Instructs its President to forward this resolution to the European Council, the Council, the Commission, the Court of Justice of the European Union, the European Central Bank and the Court of Auditors.