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*Plenary sitting*

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**B9-0317/2023**

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))

**Sven Simon**

on behalf of the PPE Group

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

*The European Parliament,*

- having regard to the political guidelines for the next European Commission 2019-2024, presented on 16 July 2019,
  - having regard to the Commission communication of 8 June 2023 entitled ‘Proposal for an interinstitutional ethics body’ (COM(2023)0311),
  - having regard to 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 Socialists & Democrats Group as well as staff and non-governmental organisations (NGOs), have rightfully increased public and political scrutiny of the existing 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 ; whereas in any polity that respects 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 which need to be respected in the application and further development of the EU ethics framework, namely, among others, the freedom of mandate, rule of law, due process and the right to appeal;
- D. whereas the European Court of Auditors has 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 an Interinstitutional Agreement between Parliament, the Council and the Commission on a mandatory Transparency Register 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

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

behalf of, or with funding from, third countries;

1. Welcomes the fact that the Commission has submitted a proposal aiming to further strengthen the existing independence and integrity frameworks of the EU institutions; suggests re-naming the proposed cooperation mechanism the ‘Joint Body for Standards in Public Office’; welcomes the fact that the Commission intends to facilitate the dialogue between the institutions on the establishment of this body in line with the political guidelines for the next European Commission 2019-2024 in order to allow an independent investigation into current standards and rules in the institutions;
2. 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 in order to duly respect institutional autonomy and differences, as well as the functions of its Members;
3. Insists that a clear distinction between criminal actions, breaches of institutional rules, and legal yet unethical behaviour needs to be made; notes that the investigation of criminal offences lies solely with the competent European or national authorities; welcomes the fact that the Commission’s proposal clarifies that the new standards’ body will not interfere with or limit in any way the investigative functions of and therefore not overlap with the respective powers of the European Anti-Fraud Office, the European Public Prosecutor’s Office, national law enforcement agencies and prosecutorial authorities and the European Ombudsman, while Parliament’s resolution of 16 September 2021 insufficiently addresses this issue;
4. Believes that in a democracy Members of the legislative branch engaging in legal but unethical behaviour should be held accountable by the public and the electorate;
5. Recommends that Parliament’s internal procedures on dealing with breaches of rules, in particular the Code of Conduct, be strengthened and the sanctions catalogue more clearly defined; underlines that Parliament is currently reviewing its institutional rules framework and will be taking concrete reform measures to increase simplicity, transparency and effective enforcement thereof;
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. Calls in particular for the establishment of robust standards on transparency and access to institutions for entities listed in the Transparency Register, including NGOs; reiterates in this context the need for comprehensive financial pre-screening of these entities before they are listed in the Transparency Register;
9. Reiterates its call on the Commission, with a view to increasing NGOs’ transparency

and accountability in their interactions with EU institutions, to put forward a proposal for an NGO regulation including a clear definition of the fields of activity and size of NGOs as well as of foreign influence;

10. Is of the opinion that this legislation should provide a clear overview of the requirements for NGOs to receive Union funds and cover binding reporting and disclosure obligations related to funding sources and financial flows, compliance with democratic accountability standards and respect for Union values, among other things, as well as clear information regarding any activities performed on behalf of non-EU parties;
11. Insists that this proposal should also cover transparency obligations for the Commission, including on the disclosure of financial, administrative or cooperation agreements and contracts with NGOs;
12. Recalls that the ‘revolving doors’ phenomenon also applies to NGOs and calls for urgent further study of conflicts of interest of this type; emphasises that Members must in all circumstances avoid conflicts of interest and therefore must without delay recuse themselves from working on files that pertain to the field of work of NGOs they have received remuneration from;
13. 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.