P8_TA(2017)0358

Transparency, accountability and integrity in the EU institutions

European Parliament resolution of 14 September 2017 on transparency, accountability and integrity in the EU institutions (2015/2041(INI))

The European Parliament,

– having regard to its decision of 15 April 2014 on the modification of the interinstitutional agreement on the Transparency Register\(^1\),

– having regard to the Treaty on European Union (TEU), in particular Articles 9 and 10,

– having regard to the Treaty on the Functioning of the European Union (TFEU),

– having regard to its resolution of 8 May 2008 on the development of the framework for the activities of interest representatives (lobbyists) in the European institutions\(^2\),

– having regard to the Commission’s decision of 25 November 2014 not to meet unregistered lobbyists and to publish information on lobby meetings,

– having regard to its resolution of 11 March 2014 on public access to documents (Rule 104(7)) for the years 2011-2013\(^3\),

– having regard to the Organisation for Economic Cooperation and Development (OECD) Principles for Transparency and Integrity in Lobbying,

– having regard to its decision of 13 December 2016 on the general revision of Parliament’s Rules of Procedure\(^4\),

– having regard to Rule 52 of its Rules of Procedure,

– having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on International Trade, the Committee on Budgetary Control, the Committee on the Environment, Public Health and Food Safety, the Committee on

\(^{1}\) Texts adopted, P7_TA(2014)0376.


\(^{3}\) Texts adopted, P7_TA(2014)0203.

Legal Affairs and the Committee on Civil Liberties, Justice and Home Affairs (A8-0133/2017),

A. whereas the Union ‘shall observe the principle of the equality of its citizens, who shall receive equal attention from its institutions’ (Article 9 of the TEU); whereas ‘every citizen shall have the right to participate in the democratic life of the Union’ and ‘decisions shall be taken as openly and as closely as possible to the citizen’ (Article 10(3) of the TEU and expressed similarly in the 13th recital in the preamble thereto and Articles 1(2) and 9 thereof); whereas ‘the Union’s institutions, bodies, offices and agencies shall conduct their work as openly as possible’ (Article 15(1) of the TFEU);

B. whereas the EU institutions have already made progress in becoming more open and are in most respects already ahead of national and regional political institutions in terms of their transparency, accountability and integrity;

C. whereas dialogue between law-makers and society is an essential part of democracy, as is representation of interests, and whereas the adequate representation of different interests in the legislative process provides Members with information and expertise and is crucial for the proper functioning of pluralistic societies;

D. whereas, in view of the growing distance between the EU and its citizens and the need to increase media interest in EU affairs, the EU institutions must strive for the highest possible standards of transparency, accountability and integrity; whereas these principles are key and complementary components in promoting good governance within the EU institutions and in ensuring greater openness in the functioning of the EU and its decision-making process, and whereas these should be the leading principles of the culture within the institutions;

E. whereas citizens’ trust in the EU institutions is fundamental for democracy, good governance and effective policy-making; whereas there is a need to reduce accountability gaps within the EU and to move towards more collaborative modes of scrutiny which combine democratic oversight, control and auditing activities, while also providing more transparency;

F. whereas non-transparent, one-sided interest representation can lead to a risk of corruption and may pose a significant threat and serious challenge to the integrity of policy-makers and to public trust in the EU institutions; whereas corruption has significant financial consequences and constitutes a serious threat to democracy, the rule of law and public investment;

G. whereas a legal act as a new basis for a mandatory Transparency Register necessitates a legal definition of the activities falling under the remit of the register, which would help clarify existing ambiguous definitions and interpretations of transparency, integrity and accountability;

H. whereas in some Member States national transparency registers have already been established;

I. whereas, in accordance with the requirement of transparency laid down in Article 15(3) of the TFEU in conjunction with Article 42 of the Charter of Fundamental Rights and
the settled case-law of the Court of Justice of the EU (CJEU), all citizens of the Union have the right of access to documents of the Union’s institutions, bodies and other agencies¹;

**Making the Transparency Register as mandatory as possible**

1. Welcomes the decision of its Bureau to request that its administration develop a template for all rapporteurs and draftspersons for opinions to produce a voluntary legislative footprint, setting out what interest representatives and organisations they have consulted; the template should be also provided as an IT tool;

2. Recalls its revision of the Rules of Procedure of 13 December 2016, according to which Members should adopt the systematic practice of only meeting interest representatives that have registered in the Transparency Register, and calls for meetings between interest representatives and Secretary-Generals, Director-Generals and Secretary-Generals of political groups to be included; asks Members and their staff to check whether the interest representatives they intend to meet are registered and, if not, ask them to do so as soon as possible prior to the meeting; urges the Council to introduce a similar provision which includes permanent representations; deems it necessary to oblige registrants in the Transparency Register to produce documents to demonstrate that the information submitted is accurate;

3. Recalls the definitions of what constitutes a ‘meeting with interest representatives’ set out in the Commission’s decision of 25 November 2014 on the publication of meetings; recalls the provisions on what information may be withheld under Regulation (EC) No 1049/2001; believes that the provisions on such meetings should not be restricted to ‘bilateral’ ones, and should include those with international organisations;

4. Believes that rapporteurs, shadow rapporteurs and committee chairs should publish their meetings with interest representatives falling under the scope of the Transparency Register regarding files under their responsibility through a legislative footprint and that any exceptions should protect the life and liberty of informants acting in good faith;

5. Calls on its Bureau to create the necessary means to enable Members to publish on their Parliament online profiles their meetings with interest representatives if they wish to do so;

6. Calls on the Commission to extend to all relevant Commission staff (from Head of Unit level and above) the practice of meeting only organisations or self-employed individuals that are registered in the Transparency Register;

7. Urges the Commission to publish meetings of all relevant Commission staff involved in the EU’s policy-making process with external organisations, while taking account of necessary data protection rules; for other staff present at these meetings, reference to the unit or service should be published;

¹ Judgment of the Court of Justice of 21 September 2010, Kingdom of Sweden v Association de la presse internationale ASBL (API) and European Commission (C-514/07 P), Association de la presse internationale ASBL (API) v European Commission (C-528/07 P) and European Commission v Association de la presse internationale ASBL (API) (C-532/07 P), Joined cases C-514/07 P, C-528/07 P and C-532/07 P, ECLI:EU:C:2010:541.
8. Supports the Commission’s call for the EU institutions and their staff, and its agencies, to refrain from inviting as speakers unregistered interest representatives falling within the scope of the Transparency Register, from giving their events patronage or hosting such events on EU premises and from allowing them to participate in Commission advisory bodies;

9. Calls on the Commission to make all information on interest representation towards the EU institutions, declarations of interest, confirmed conflicts of interest and expert groups easily accessible to the public through an online one-stop shop;

10. Encourages the Commission to develop measures to achieve a better balance by empowering underrepresented interests;

11. Considers that, among the Members of the European Parliament, those appointed rapporteur, shadow rapporteur or committee chair have a special responsibility to be transparent about their contacts with interest representatives in view of their role in EU legislation;

12. Believes that entities registered in the Transparency Register should, in a timely manner, introduce mandatory updates in the register on expenditure for activities falling within the remit of the register by its registrants when this expenditure exceeds the level set for the category in question;

13. Believes all registered entities should be obliged to publish in the Transparency Register a list of all donors and their corresponding donations exceeding EUR 3,000, indicating both the nature and the value of the individual donations annually; single donations of a value exceeding EUR 12,000 must be reported immediately;

14. Reiterates its longstanding call to back up the EU Transparency Register with a legislative act, if it is not possible to close all loopholes and achieve a fully mandatory register for all interest representatives with an interinstitutional agreement; considers that the proposal for this legal act could take into account the progress achieved by changes in the interinstitutional agreement and Parliament’s Code of Conduct; reminds the Commission of its call in its decision of 15 April 2014 for an appropriate legislative proposal on a mandatory transparency register to be submitted pursuant to Article 352 of the TFEU by the end of 2016;

15. Reiterates its call on the Council, including its preparatory bodies, to join the Transparency Register as soon as possible; calls on all Member States to introduce legislation advancing the transparency of interest representation; calls on the Member States to introduce rules whereby interest representatives should make transparent where their contacts with national politicians and public administration are aimed at influencing European legislation;

**Transparency, accountability and integrity in dealing with interest representatives**

16. Recalls its decision of 13 December 2016 to withdraw privileges from those who are unwilling to cooperate with inquiries or hearings and committee meetings which have a fact-finding mission; calls on the Commission to further amend the code of conduct for registered entities to incentivise them not to provide, in utmost good faith, insufficient or misleading information during such hearings or committees; considers that entities
registered in the Transparency Register should be prohibited under the code of conduct from employing individuals or organisations disguising the interests or the parties they serve;

17. Considers that professional consultancies, law firms and self-employed consultants should indicate the exact volume of the activities covered by the register, while acknowledging that certain individuals may be hindered by national legislation in some Member States from meeting the requirements of the Transparency Register;

18. Insists that registered entities, including law firms and consultancies, should declare in the Transparency Register all clients on whose behalf they perform interest representation activities that fall within the remit of the Transparency Register; welcomes the decisions taken by various bars and law societies in recognising the differences between court-related activities of lawyers and other activities falling within the scope of the Transparency Register; moreover, invites the Council of Bars and Law Societies of Europe to encourage its members to adopt similar measures, while acknowledging that certain individuals may be hindered by national legislation in some Member States from meeting the requirements of the Transparency Register;

19. Notes that, in some Member States, statutory provisions exist on the rules governing the exercise of professions, which in particular objectively prevent law firms from registering themselves in the Transparency Register and in the process revealing the information about their clients which the register requires; also perceives, however, a substantial risk in that such statutory provisions may also be abused to avoid publishing information required for proper entry in the register; welcomes, in this connection, the perceptible readiness of lawyers’ professional organisations to work in partnership to ensure that, in the interests of their profession, such withholding of information is confined exclusively to what the law objectively permits; calls on the Commission and the President of the European Parliament to secure a practical outcome from this readiness and to enshrine a result in the modified agreement as soon as possible;

20. Asks the Bureau, in accordance with Article 15 of the TFEU and Article 11 of the TEU, to require registration prior to access to Parliament’s premises for non-registered organisations or individuals that undertake activities falling within the remit of the Transparency Register; considers that visitor groups should be exempted from this; emphasises that Parliament, as the chamber representing European citizens, should retain an open-door policy towards citizens and that no unnecessary obstacles should be created which could discourage citizens from visiting its premises;

21. Regrets that, according to Transparency International, more than half of the entries in the EU’s lobbying disclosure register in 2015 were inaccurate, incomplete or meaningless;

22. Asks its Bureau and its Secretary-General to ease the reactivation process necessary for lobby badges by setting up a designated reactivation facility with a view to avoiding excessive waiting times to gain entry to premises; calls for the removal of the restriction of not more than four pass holders being able to access Parliament’s premises at the same time;

23. Recalls its decision of 13 December 2016 as regards entourage passes, and calls on its Secretary-General to amend the rules governing passes and authorisations granting
access to Parliament’s premises as of 13 December 2013 to oblige anyone over the age of 18 applying for an entourage pass to sign a document guaranteeing that they will not engage in activities falling within the scope of the Transparency Register;

24. Believes it to be necessary, as a matter of urgency, to introduce a proper monitoring system for submissions in order to ensure that the information that registrants provide is meaningful, accurate, up-to-date and comprehensive; calls in this regard for a substantial increase in the resources of the Transparency Unit within the European Parliament and the Joint Transparency Register Secretariat;

25. Believes that declarations of registered entities should be checked by the Transparency Unit and the Joint Transparency Register Secretariat each year on the basis of random sampling in sufficient numbers so as to provide meaningful, accurate, up-to-date, comprehensive data;

26. Believes, with reference to Articles 4(2) and 5(2) of the TEU, that democratically elected and controlled state institutions at national, regional and local level and their representations towards the EU institutions, as well as their internal bodies and formal and informal associations and umbrella organisations composed exclusively thereof, should not fall under the EU Transparency Register if they act in the public interest, as they are part of the EU’s multi-level system of governance;

**Defending integrity against conflicts of interest**

27. Calls on those EU institutions and bodies which still do not have a code of conduct to develop such a document as soon as possible; considers it regrettable that the Council and the European Council have still not adopted a code of conduct for their members; urges the Council to introduce a specific code of ethics, including sanctions, which addresses the risks specific to national delegates; insists that the Council must be just as accountable and transparent as the other institutions; calls also for a code of conduct for members and staff of the EU’s two advisory bodies, the Committee of the Regions and the European Economic and Social Committee; calls on the EU agencies to adopt guidelines for a coherent policy on the prevention and management of conflicts of interest for members of the management board and directors, experts in scientific committees, and members of boards of appeal, and to adopt and implement a clear policy on conflicts of interest, in accordance with the Roadmap on the follow-up to the Common Approach on EU decentralised agencies;

28. Believes that all EU officials, including temporary agents, accredited parliamentary assistants, contract agents and national experts, should be encouraged to attend training on how to deal with interest representatives and conflicts of interest;

29. Underlines the need to enhance integrity and improve the ethical framework through clear, reinforced codes of conduct and ethical principles, so as to allow the development of a common and effective culture of integrity for all EU institutions and agencies;

30. Recognises that the ‘revolving door’ effect can be detrimental to relations between the institutions and interest representatives; calls for the EU institutions to develop a systematic and proportional approach to this challenge; considers that all regulation regarding ‘revolving doors’ should also be applied to the President of the Council;
31. Calls for strengthening the restrictions on former Commissioners by extending the ‘cooling-off period’ to three years and making it binding for at least all activities falling within the remit of the Transparency Register;

32. Believes that decisions on senior officials’ and former Commissioners’ new roles must be taken by an authority appointed as independently as possible of those affected by its decisions;

33. Requests that all EU institutions should disclose, on an annual basis, in line with EU data protection rules, information about senior officials who have left the EU administration and the roles they have taken up;

34. Takes the view that consideration should be given to an 18-month cooling-off period at the end of the appointment of external and ad hoc members of the Regulatory Scrutiny Board in the context of better law-making and of members of the Board of Directors of the European Investment Bank, whereby, during this period, they must not lobby members of the EIB governing bodies and Bank staff for their business, client or employer;

**Integrity and balanced composition of expert groups**

35. Welcomes the Commission’s intention to follow up on the Ombudsman’s recommendations against conflicts of interest in expert groups, and explicitly supports the publication of a sufficiently detailed CV of each expert appointed in her or his personal capacity on the expert groups register, and of a declaration of interests of each expert appointed in his or her personal capacity on the expert groups register;

36. Supports the Ombudsman’s call for entry in the Transparency Register to be made a requirement for appointment to expert groups for those Members who are not government officials and do not receive all or the vast majority of their other income from state institutions such as universities, assuming that the latter do not receive funding from interest representatives and economic and commercial stakeholders;

37. Believes that a provision containing general criteria for the delimitation of economic and non-economic interests as recommended by the Ombudsman and based on the experts’ declarations of interest would help the Commission to pick experts representing interests with a better balance;

38. Urges the Commission to make all minutes of expert group meetings available to the public on its website, including the diversity of opinions represented;

39. Urges the Commission to make sure that consultations explore open questions instead of merely seeking to confirm a chosen policy direction;

**Integrity of the European elections**

40. Believes that, under European electoral law, nominations of candidates within parties must be carried out democratically, in secret and with a proper say for Members, and that persons convicted by a final judgment of corruption against the EU’s financial interests or within Member States should forfeit the right to stand for election for a period commensurate with the seriousness of the offence; notes that this disqualification procedure is already in place in some Member States; considers that a new instrument,
such as a directive, could establish common minimum standards for different practices and legal frameworks within the different Member States regarding disqualification on account of corruption;

**Strengthening the legal accountability of Commissioners**

41. Calls on the Commission to draw on the good practice of Member States with laws for ministers by submitting a legislative proposal laying down the transparency obligations and rights of Commissioners, in accordance with the codecision procedure;

42. Calls for the decision fixing the remuneration of Commissioners, including their salaries, which has been taken exclusively by the Council since the European Communities were founded, to be transferred to the codecision procedure;

43. Points out that some Member States do not have laws on ministers that exclude the possibility of office-holders being sole or part-owners of businesses;

**Conflicts of interest in shared management and in third countries in connection with the management of EU funds**

44. Sees a serious conflict of interest in the possibility that businesses owned by EU office-holders may apply for EU funds or may receive such funds as subcontractors, while the owners and office-holders themselves bear responsibility for both the proper use of funds and for controlling their use;

45. Calls on the Commission to incorporate a clause in all future EU laws on payments to the effect that businesses owned by office-holders in the EU Member States and in third countries may not apply for or receive any EU funding;

**Realising the objective of full access to documents and transparency for the purposes of accountability in the legislative process**

46. Recalls its calls on the Commission and the Council in its resolution of 28 April 2016 on public access to documents for the years 2014-2015\(^1\), in which it:

- called for the scope of Regulation (EC) No 1049/2001 to be broadened to include all the European institutions it currently does not cover, such as the European Council, the European Central Bank, the Court of Justice and all the EU bodies and agencies,

- called for full compliance with the obligation by the institutions, agencies and other bodies to keep complete registers of documents, as provided for in Articles 11 and 12 of Regulation (EC) No 1049/2001,

- considered that documents created in trilogues such as agendas, summaries of outcomes, minutes and general approaches in the Council are related to legislative procedures and should not, in principle, be treated differently from other legislative documents and should be made directly accessible on Parliament’s website,

- called for a common interinstitutional register, including a dedicated joint database on the state of play of legislative files for which works are under way as agreed in the

---

\(^1\) Texts adopted, P8_TA(2016)0202.
Interinstitutional Agreement on Better Law-Making,

– called on the Council to publish minutes of the meetings of Council working groups and other documents,

– called on the Commission to set up a register of all second-level legislation, in particular for delegated acts, and noted that work on its creation was under way as agreed in the Interinstitutional Agreement on Better Law-Making,

– expressed its belief in the need to introduce an independent oversight authority for the classification and declassification of documents,

– called for agendas and feedback notes of the meetings of Parliament’s Committee Coordinators, Bureau and Conference of Presidents to be made available, and, in principle, for all documents referred to in those agendas to be made available too, by publishing them on Parliament’s website;

**Transparency of the external representation and negotiations of the EU**

47. Welcomes the recent case law by the European Court of Justice which reinforces Parliament’s right to information on international agreements, and the commitment by the institutions to follow up on paragraph 40 of the Interinstitutional Agreement on Better Law-Making by negotiating improved cooperation and information-sharing; takes note that the negotiations started at the end of 2016 and, in this respect, calls on the Council, the Commission and the European External Action Service to genuinely commit and make all necessary efforts to reach an agreement as soon as possible with Parliament on improved cooperation and information-sharing with Parliament throughout the whole life-cycle of international agreements, as this would help to increase the legitimacy and democratic scrutiny of the EU’s external action;

48. Notes that, even though an interinstitutional cooperation agreement exists between Parliament and the Commission, an equivalent arrangement does not exist between Parliament and the Council;

49. Stresses recent efforts by the Commission to increase the transparency of trade negotiations; believes, nevertheless, that the Council and the Commission should still improve their working methods to cooperate better with Parliament as regards access to documents, information and decision-making for all issues and negotiations related to common commercial policy (such as information relating to negotiations – including scoping, mandates and evolution of negotiations – the mixed or exclusive nature of trade agreements and their provisional application, activities and decisions taken by bodies created by trade and/or investment agreements, expert meetings, and delegated and implementing acts); regrets, in this regard, that the Council has not made available to the Members of the European Parliament (MEPs) and the public the negotiating mandates for all agreements currently under negotiation, but welcomes the fact that, finally, after one year of negotiations between the Commission and Parliament on access to documents related to negotiations on the Trans-Atlantic Trade and Investment Partnership (TTIP) an operational agreement has been reached to grant access to all MEPs, making the TTIP negotiations the most transparent so far; welcomes, in this respect, the ambition of the Commission’s Directorate-General for Trade to use the current transparency initiative on TTIP as a model for all trade negotiations, as outlined
in the trade strategy ‘Trade for All’ and to implement this;

50. Stresses that, as pointed out by the CJEU, imperatives for transparency derive from the democratic nature of governance within the EU, and that, where confidential information is beyond the reach of public access, as in the case of trade negotiations, it must be available to parliamentarians who scrutinise trade policy on behalf of citizens; considers therefore that access to classified information is essential for scrutiny by Parliament, which in return should abide by its obligation to manage such information properly; considers that there should be clear criteria for labelling documents as ‘classified’ to avoid ambiguity and arbitrary decisions, and also that the document should be declassified as soon as its classification is no longer necessary; calls on the Commission to assess whether a negotiating document can be made public as soon as the document in question has been finalised internally; notes that the case-law of the CJEU makes it clear that where a document originating in an EU institution is covered by an exception to the right to public access, the institution must clearly explain why access to this document could specifically and effectively undermine the interest protected by the exception, and that this risk must be reasonably foreseeable and not purely hypothetical; calls on the Commission to implement the recommendations of the European Ombudsman of July 2014 with particular regard to access to documents for all negotiations and on publishing meeting agendas and records of meetings held with individuals and organisations falling within the remit of the Transparency Register; calls on the Commission to inform Parliament and the public of draft agendas for negotiating rounds prior to the negotiations, final agendas and reports after negotiations;

51. Believes that the EU must take the lead in furthering the transparency of trade negotiations, not only for bilateral processes, but also for plurilateral and multilateral processes where possible, with no less transparency than the negotiations organised in the framework of the World Trade Organisation (WTO); stresses, however, that the Commission must also persuade its negotiating partners to increase transparency at their end, to make sure that this is a reciprocal process in which the EU’s negotiating position is not compromised and to include the aspired level of transparency in its scoping exercises with potential negotiating partners; stresses that increased transparency is in the interest of all the EU’s negotiating partners and stakeholders worldwide, and that it can strengthen global support for rules-based trade;

52. Recalls the importance for the common commercial policy legislative process to rely on Union statistics consistent with Article 338(2) of the TFEU and on impact assessments and sustainability impact assessments conforming to the highest standards of impartiality and reliability, a principle which should lead all respective revisions in the framework of the Commission’s ‘Better Regulation’ policy; considers that sector-by-sector impact assessments would provide EU trade agreements with a higher level of reliability and legitimacy;

53. Reiterates its calls on the Commission in its resolution of 12 April 2016¹ to draft a European code of conduct on transparency, integrity and accountability, designed to guide the actions of EU representatives in international organisations/bodies; calls for better policy coherence and coordination among the global institutions through the introduction of comprehensive standards of democratic legitimacy, transparency, accountability and integrity; takes the view that the EU should streamline and codify its

¹ Texts adopted, P8_TA(2016)0108.
representation in multilateral organisations/bodies with a view to increasing the transparency, integrity and accountability of the Union’s involvement in these bodies, its influence and the promotion of the legislation it has adopted through a democratic process; calls for the adoption of an interinstitutional agreement with the aim of formalising dialogues between EU representatives and Parliament, to be organised with the European Parliament for the purpose of establishing guidelines regarding the adoption and coherence of European positions in the run-up to major international negotiations;

**Transparency and accountability in the domain of public spending**

54. Believes that the data on budget and spending within the EU should be transparent and accountable through publication, including at the level of Member States as regards shared management;

**Transparency and accountability of economic governance in the euro area**

55. Believes that decisions taken in the Eurogroup, in the Economic and Financial Committee, ‘informal’ Ecofin Council meetings and Euro summits must be institutionalised, where necessary, and become transparent and accountable, including through the publication of their agendas and minutes, finding a balance between desirable transparency and the necessary protection of the financial, monetary or economic policy of the Union or a Member State;

**Transparency and accountability concerning the EU budget**

56. Notes that in 2014 a total of 40 cases into EU staff and members of the institutions were concluded; underlines that this figure is low and illustrates that fraud and corruption are not endemic within the EU institutions¹;

57. Highlights that in 2014 the highest number of potential fraud cases reported to the European Anti-Fraud Office (OLAF) relate to the use of European Structural Funds (549 of 1 417 allegations); underlines that OLAF recommended the financial recovery of EUR 476.5 million in structural funds in 2014; notes that EUR 22.7 million were recovered by the relevant authorities following OLAF’s recommendations in 2014; calls on the Member States to prioritise the proper allocation of EU funds and to maximise efforts to recover them when they are not properly allocated²;

58. Calls on the Commission to submit a revision of the so-called six-pack and two-pack in order to provide Parliament with greater scrutiny powers over the adoption of key documents of the European Semester, and particularly effective means to guarantee respect for the principles of subsidiarity and proportionality;

59. Calls on the Eurogroup to include Parliament in monitoring the implementation of the contractual conditions agreed with beneficiaries of financial assistance granted by the European Stability Mechanism;

**Protection of whistleblowers and the fight against corruption**

---

¹ The OLAF report 2014, Fifteenth report of the European Anti-Fraud Office, 1 January to 31 December 2014.

² Ibid.
60. Welcomes the European Ombudsman’s investigation into whether the EU institutions are living up to their obligation of introducing internal whistleblowing rules; regrets the Ombudsman’s finding that some EU institutions have not yet properly implemented rules to protect whistleblowers; points out that to date only Parliament, the Commission, the Ombudsman’s Office and the Court of Auditors have adopted such rules; calls for a study by Parliament into a mechanism to protect Accredited Parliamentary Assistants in the event they become ‘whistleblowers’;

61. Considers effective whistleblower protection to be a key weapon in the fight against corruption and therefore reiterates its call of 25 November 2015\(^1\) on the Commission “to propose, by June 2016, an EU legislative framework for the effective protection of whistleblowers and the like”\(^2\), taking into account the assessment of the rules at national level in order to provide for minimum rules for protecting whistleblowers;

62. Calls on the Commission to apply the measures pertaining to discretion and exclusion in respect of public procurement strictly, with proper background checks being carried out in every instance, and to apply the exclusion criteria in order to debar companies in the event of any conflict of interest, this being essential to protect the credibility of the institutions;

63. Believes that whistleblowers have too often found more prosecution than support even in the EU institutions; calls on the Commission to propose an amendment to the regulation governing the Ombudsman’s Office and to add to her remit being a focal point for whistleblowers who find themselves victims of ill-treatment; calls on the Commission to propose an appropriate increase in the budget of the Ombudsman’s Office to allow this new demanding task to be put into effect;

64. Calls for the EU to advance its application for membership of the Council of Europe Group of States against Corruption (GRECO) as soon as possible, and for Parliament to be kept up to date with the progress of this application; calls on the Commission to include in the report an overview of the greatest corruption problems in the Member States, policy recommendations to tackle them and follow-up measures to be taken by the Commission, taking specific account of the detrimental impact of corrupt activities on the functioning of the internal market;

65. Believes that persons convicted by a final judgment of corruption in the EU or companies led or owned by persons who committed acts of corruption or misappropriation of public funds for the benefit of their company and have been convicted by a final judgment on those grounds should, for at least three years, be effectively banned from entering into procurement contracts with the European Union and from benefiting from EU funds; calls on the Commission to revise its debarment system; stresses that companies excluded from tendering for EU funds by the Commission should be publicly listed by default to better protect EU financial interests and allow scrutiny by the wider public;

66. Notes that since becoming an approved member of the United Nations Convention against Corruption (UNCAC) on 12 November 2008, the European Union has not

---

2. Ibid., par. 144.
participated in the review mechanism provided for under the Convention, nor has it taken the first step of completing a self-assessment of how it is implementing its obligations under the Convention; calls on the European Union to fulfil its obligations under the UNCAC by completing a self-assessment of how it is implementing its obligations under the Convention and participating in the peer-review mechanism; calls on the Commission to publish its next EU Anti-Corruption Report as soon as possible and to include a chapter on the EU institutions in its EU Anti-Corruption Reports; calls for the Commission to carry out further analysis at the level of both the EU institutions and the Member States of the environment in which policies are implemented, in order to identify inherent critical factors, vulnerable areas and risk factors conducive to corruption;

67. Recalls its position of 16 April 2014 on the proposal for a directive of the European Parliament and of the Council on the fight against fraud to the Union’s financial interests by means of criminal law\(^\text{1}\), and calls for a rapid decision in this regard;

**Integrity in EU regulation**

68. Calls on the Commission to explore systemic safeguards with a view to avoiding conflicts of interest in the area of the regulation of industry products and policy enforcement; calls on the Commission to address the current structural conflict of interests in the public risk assessment of regulated products, namely the situation in which the assessment of these products is largely or entirely based on studies performed by applicants or third parties paid by them, while independent research is all too often disregarded or dismissed; insists that producers should still provide studies, with cost-sharing between large companies and SMEs based on relative market share to ensure fairness, but that all assessors should be obliged to fully take into account peer-reviewed independent science in their assessments; calls on the Commission, in particular, to review its communication of 2002 on general principles and standards for consultation of interested parties; suggests, in order to address issues arising from the selective suppression of unfavourable research findings, that the prior registration of scientific studies and trials, specifying their scope and expected date of conclusion, could be a condition for input into regulatory and policy processes; emphasises, in the interests of sound and independent scientific advice for policy-making, the importance of adequate resources for the development of in-house expertise within the EU’s specialised agencies, including the opportunity to conduct publishable research and testing, thus enhancing the attractiveness of public services in regulatory advice roles without disrupting scientists’ academic career prospects;

**Strengthening the parliamentary accountability of the Commission and its agencies**

69. Calls on the Commission to draw up a regulation relating to all EU agencies, under which Parliament will be granted codecision powers in the appointment or dismissal of directors of such agencies and a direct right to question and hear them;

70. Highlights the need for independent experts in the EU agencies and for greater importance to be placed on eliminating conflicts of interest within the panels of the agencies; notes that at present experts from a number of agencies, including the European Food Safety Authority (EFSA), are not paid; calls for experts in regulatory

\(^1\) Texts adopted, P7_TA(2014)0427.
agencies representing for example non-profit organisations or academics to receive adequate compensation; emphasises the importance of adequate resources for the development of in-house expertise within the EU’s specialised agencies;

71. Calls on EFSA, the European Medicines Agency (EMA) and the European Chemicals Agency (ECHA) to urgently revise their independence policies so as to explicitly guarantee their strict independence from the economic sectors they are regulating and to avoid conflicts of interest among their staff and experts;

72. Supports the practice of national parliaments inviting Commissioners in order to question them;

73. Recalls that the power to set up committees of inquiry is an intrinsic feature of parliamentary systems around the world, and that the Treaty of Lisbon provides for a special legislative procedure for the adoption of a regulation on the right of inquiry in Article 226(3) of the TFEU; stresses that, in accordance with the principle of sincere cooperation, Parliament, the Council and the Commission should agree on the adoption of a new regulation;

74. Calls for a rapid decision of the Council and the Commission on Parliament’s proposal of 23 May 2012 for a regulation of the European Parliament on the detailed provisions governing the exercise of Parliament’s right of inquiry\(^1\);

\[\circ\]
\[\circ\]
\[\circ\]

75. Instructs its President to forward this resolution to the Council and the Commission.

\(^1\) OJ C 264 E, 13.9.2013, p. 41.