

14.02.2023

JOINT MOTION FOR A RESOLUTION

Statements by the Commission, Council and European Council

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

replacing the following motions:

- B9-XXXX (S&D)
- B9-XXXX (Renew)
- B9-XXXX (PPE)
- B9-XXXX (Verts/ALE)
- B9-XXXX (ECR)

Establishment of an independent EU Ethics Body

Sven Simon on behalf of the PPE Group,
Gabriele Bischoff on behalf of the S&D Group
Gilles Boye, on behalf of the Renew Group
Daniel Freund on behalf of the Verts/ALE Group
Leïla Chabi on behalf of the Left group,

- having regard to the Treaty on European Union (TEU), in particular Articles 9 and 10, *15(3)*, *17(3)* and to the Treaty on the Functioning of the European Union (TFEU), in particular art. 298 thereof,
- having regard to Commission President Von der Leyen’s letter to the Council of 18 March 2022 with Reference Ares (2022)2003228 including the Commission’s Follow-up to the European Parliament non-legislative resolution on strengthening transparency and integrity in the EU institutions by setting up an independent EU ethics body,
- having regard to the mission letter of 1 December 2019 of the President of the Commission to Věra Jourová, Vice-President-designate for Values and Transparency,
- having regard to the political guidelines for the next European Commission 2019-2024, presented on 10 September 2019

- 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 institutions (2022/3012(RSP));
- 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 body (2020/2133(INI));
- having regard to the Code of Conduct for Members of the European Parliament;
- having regard to the European Parliament’s Rules of Procedure, in particular Rules 2, 10 and 11, 176(1), Annex I, Articles 1 to 3, 4(6), 5 and 6 and Annex II,
- having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities,
- having regard to Rule 132 of its Rules of Procedure,

- A. whereas the President of the Commission committed to the establishment of an Ethics Body in her political guidelines in July 2019; whereas the Vice-President of the European Commission responsible for values and transparency committed to it as well in her mission letter; whereas Parliament has already supported this view; whereas the Commission has since then not presented a proposal for an interinstitutional agreement in view of establishing an independent ethics body;
- B. whereas the recent corruption revelations have rightfully increased public and political scrutiny for the existing 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 promoting the trust of citizens, which is necessary for the legitimate functioning of democratic institutions;
- C. Whereas ethics standards already exist within the institutions, but are very fragmented and solely rely on a self-regulatory approach; whereas the creation of an independent ethics body could contribute to strengthening trust in the EU institutions and their democratic legitimacy;
- D. Whereas the Meroni doctrine developed by the Court of Justice of the European Union (CJEU) allows for the delegation of EU institutions’ competences to external bodies, including competences that are not yet exercised;

1. Reiterates its deep shock and condemnation of the allegations of corruption in the European Parliament and states its zero tolerance for corruption in any shape or form;
2. Reiterates its support for the establishment an independent ethics body, as outlined in its resolution of September 2021 to restore citizen's trust in the EU institutions;
3. Urges the Commission to come forward latest by March with its proposal to establish an independent ethics body for the European Parliament and the Commission, open to all institutions and agencies of the EU and to finalise the negotiations by the end of the summer break about structure, governance, name, composition, powers and any other issues that might arise;
4. Insists that a clear distinction between criminal actions, breaches of institutional rules, and unethical behaviour needs to be made;
5. Considers that the new 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 cases after their term of office or service in line with the applicable rules;
6. Recalls that the body should have the right to start investigations on its own and to conduct on-the-spot and records-based investigations based on the information it has collected or that it has received from third parties; recalls that the Ethics Body should have the possibility to check the veracity of the declaration of financial interests;
7. Recalls that its proposal foresees a nine-person ethics body of experts;
8. 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;
9. Recommends that the independent ethics body should have the possibility to engage in cooperation and information exchange with relevant EU bodies such as OLAF, EPPO, the Ombudsman and the European Court of Auditors, within their respective mandates;
10. Recommends the adoption of harmonised and adequate cooling-off periods by all EU institutions and that their enforcement be strengthened;
11. Suggests to reinforce and make full use of sanction procedures in the Parliament without delay, while working for the establishment of an independent ethics body;
12. Commits to work as fast as possible in accordance with the principle of sincere cooperation in order to finalise the negotiations by the summer; calls on its Conference of Presidents to appoint its negotiators and send a letter to open negotiations with the Commission and other institutions, agencies and bodies, which are willing to join;

13. Instructs its President to send this resolution to the Council, the Commission and the Parliaments of Member States.