



Strasbourg, 12 March 2024
SG.C.2/GR

Minutes
6th Political meeting – EU Ethics Body
12 March 2024
and record of subsequent developments

I. Minutes of the Meeting

1. Introductory Remarks:

The Vice-President of the Commission welcomed all participants and thanked the European Parliament for hosting the meeting. She extended sincere appreciation to the staff of the negotiating parties for their efforts in facilitating and preparing the text of the provisional agreement for endorsement at the meeting.

Furthermore, she highlighted an outstanding point on the agenda regarding the status of representatives from the parties, which remained open for discussion.

In addition, the Vice-President of the Commission addressed a unilateral announcement issued by the European Council via email on 11 March 2024, expressing regret over the party's decision not to participate in the agreement. Subsequently, she invited comments from the parties.

The representative of the Council reiterated the proposal to amend the draft agreement by incorporating provisions concerning consultations and inquiries as outlined in Article 7 and Recital 12. This amendment aims to ensure that these mechanisms effectively serve their intended purpose, particularly in contributing to the evaluation of the necessity to develop and update common minimum standards in the future.

2. Approval of Meeting Minutes

The Vice-President of the Commission proposed the adoption of the minutes from the preceding meetings. It was observed that there were no remarks from the parties concerning the minutes of the 4th and 5th political meetings held on 30 January and 23 February 2024, respectively. Consequently, the minutes of both meetings were unanimously approved.

3. Status of the representatives of the parties

The Vice-President of the Commission initiated discussions on the participation levels of parties within the agreement, emphasising the importance of aligning participation with voting

rights on standards to be explicitly outlined in the agreement. She invited the Council to elucidate their stance and level of involvement.

The representative of the Council announced that the Council was not able to conclude on the proposed terms, however he underlined that the Council would be ready to issue a joint political declaration by 27 with the following constitutive elements:

- Members of national governments are submitted to their respective national rules on ethical behavior, including when exercising their functions as member or as Presidency of the Council.
- Member States agree on the possibility of sharing the information on their national ethical rules during their term of office as Presidency of the Council of the European Union and in the six months preceding and following this term, by means of voluntary and individual national declarations.

Additionally, to this political declaration, it is understood that the internal procedures of the Council will ensure the adequate representation and participation of its representatives in the Ethics Body.

By issuing this joint declaration at the time of the Council's approval of the Agreement, Member States would be sending a clear and collective signal not only on the relevance of the new Ethics Body, but also of transparency regarding their respective national rules.

In response, **the Vice President of the Commission** suggested that the parties should reflect how to incorporate the Council's stance on its role and participation into the agreement by including purpose-driven language in the provisional agreement.

The representatives of the European Parliament supported the position expressed by the Commission, underlining that all parties should equally and equitably contribute to the process.

The representative of the European Central Bank stressed the importance of equality of the parties in the decision-making process when developing the common minimum standards as well as in reflecting the standards in the respective internal rules of the parties.

In an effort to achieve a compromise, a text amending the proposal was distributed by the Commission to the negotiating parties, prompting the Council to distribute another text proposal in reaction.

The Vice President of the Commission then invited the other parties to voice their preference for one of the distributed text amendments. The representatives of the Committee of Regions favoured the Council's proposal, while other parties preferred the compromise text put forward by the Commission.

The Vice-President of the Commission announced a recess for the parties to engage in informal discussions on both propositions.

A compromise proposal was formulated during the break and subsequently presented for discussion at the meeting. Following deliberation, it was incorporated into the text of the provisional agreement.

The representative of the Council emphasised that the Council was not able to commit to the provisional agreement at this stage, citing the need for further consultation and reporting. However, he reiterated the Council's unequivocal desire to participate as a full member of the agreement.

The representative of the Council also recalled the Council's proposal to add additional text to Article 7 and Recital 12. After an exchange of views, the parties agreed to respond positively to the Council's proposal, and the text amendment was integrated in the provisional agreement.

4. Concluding Remarks

The Vice-President of the Commission closed the meeting by noting that there was a provisional agreement among the seven negotiating parties on the text of the IIA, notably regarding the wording proposed by the Commission in relation to the consensus which would be necessary for the members of the Body to act. **The representative of the Council** noted the Council's inability to accept the text as it stood and indicated its intention to refer the matter to COREPER for further consideration. The other parties asked the representative of the Council to report back on the COREPER discussion as soon as possible, in order for the various parties to move ahead with the formal endorsement of the IIA by their respective internal decision-making bodies.

Additionally, it was agreed that no joint public statement would be issued regarding this provisional agreement.

Expressing gratitude to all participants, **the Vice-President of the Commission** underscored the challenges in finding common ground but expressed satisfaction in concluding negotiations and reaching a preliminary agreement among the seven parties. She reiterated support for the Council in finding an appropriate pathway to join the provisional agreement.

II. Record of developments after the meeting of 12 March 2024

The **Council** reported back to COREPER on 18 March 2024. Following this, the Council submitted a new proposal aimed at ensuring its participation in the agreement as a full-fledged party. The proposal contained the elements listed below:

- An amendment to Recital 1 (in bold): “Ethics, integrity and transparency are essential for maintaining the trust of the citizens of the Union in the political, legislative, and administrative work of the Union’s institutions. **Union actors will endeavour to foster convergence on a common culture based on these values, in accordance with the Treaties.**”
- A Council Statement to be adopted by the Council upon its approval of the Agreement setting up the Interinstitutional Ethics Body, stating the Council’s commitment to sincere cooperation and to participating fully in the deliberations and decisions of the Body.

- A joint political declaration by the Member States affirming that:
 - o members of national governments are submitted to their respective national rules on ethical behaviour, including when exercising their functions as member or as Presidency of the Council;
 - o Member States agree on the possibility of sharing the information on their national ethical rules during their term of office as Presidency of the Council and in the six months preceding and following this term, by means of voluntary and individual national declarations.

Reactions from **all other parties** to this proposal from the Council indicated that, in a spirit of interinstitutional compromise and in order to being able to conclude the agreement before the European elections with as many institutions and advisory bodies referred to in Article 13 of the Treaty on European Union as possible, this could provide a path forward to reaching an agreement among all eight remaining institutions and advisory bodies, subject to formal endorsement by their respective internal decision-making bodies.

Some parties expressed regret that these latest developments leading to the final draft of the agreement had not been discussed jointly while acknowledging the exceptional circumstances related to the challenging timeframe. **Some parties** stressed their hope that Council would seek in the future a way to participate in the agreement in the same way as the other institutions and advisory bodies as regards the scope of the members of the parties covered by the agreement. **Some parties** underlined that this difference in scope should be prudently taken into account by Council when participating in the decision-making of the Body.