



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate C - Transparency, Efficiency & Resources
SG.C.2 - Ethics, Good Administration & Relations with the European Ombudsman

Brussels, 7 July 2023
SG.C.2/AP

Minutes
First Political meeting – EU Ethics Body
7 July 2023

Commission Vice-President welcomed the participants and highlighted the political importance of this first exchange of views on the recent Commission proposal for an interinstitutional ethics body. She underlined the novelty of the body which would be a permanent structure for standardising what is expected of persons holding the highest political or institutional functions in the EU. She emphasised that the Commission's proposal was ambitious, legally sound, politically feasible, meaningful and would deliver the level of integrity the European citizens expect. She invited the institutions to join in the negotiations for establishing the body and stressed the Commission's commitment to achieve the body's operability as soon as possible.

Commission Director presented the interinstitutional ethics body in detail, focusing on its added value, decision-making structure, and composition. She highlighted that the body would create a common ethical culture, reduce discrepancies between the institutions and strengthen public understanding and trust in the institutions. She also underlined that that body would not interfere with the mandate of investigative bodies like the European Anti-fraud Office or the European Public Prosecutor Office. She concluded by outlining the envisaged process and timeline for establishing the body.

The **President of the European Parliament** emphasised the Commission proposal's divergence from the Parliament's expectations and the necessity to bridge this gap in the upcoming negotiations. She acknowledged that certain legal constraints had to be taken into account when setting up the body but pointed out that this should not prevent the institutions from being ambitious about the body's remit. She stated that the Parliament would adopt a resolution on the Commission's proposal and stressed that this resolution should guide the forthcoming discussions. She also highlighted the need to protect institutional independence and the freedom of mandate of the Members of the European Parliament.

The **Head of Cabinet of the President of the European Council** underlined the European Council's commitment to transparency and integrity. He explained that the President was already covered by dedicated ethical rules and that the European Council would be open to engage in further negotiations. He asked how the institutions would commit to implement the agreed ethical standards. He also inquired whether and how the High Representative of the Union for Foreign Affairs and Security Policy would be covered by the body.

The **Chair of COREPER II** highlighted the Council's commitment to transparency and ethical conduct and the support to the objectives of the proposal. The Presidency stated that it did not

have a mandate for negotiations currently but that internal discussions were ongoing in this regard. It stressed that the distinct competences and particularities of each institution had to be respected. It referred to a letter from 30 June 2022 to the President of the Commission in which the Council's position had been presented.

The **Registrar of the Court of Justice** offered full support to the Commission's proposal and welcomed its structure. He explained that the Court of Justice was not in the same position as the executive and legislative institutions. If the Court participated in the decision-making of the ethics body, it would become involved in the decision-making on common rules which it could later be called upon to interpret and examine for their validity. Any involvement of the Court in the establishment of these rules would therefore compromise its independence and impartiality. However, the Court could act as an observer in the body without compromising its independence and would benefit from the body's ethical standards in the reflection on own ethical rules.

The **member of the executive board of the European Central Bank** welcomed the Commission initiative as a valuable start for further discussions. He offered the Bank's contribution to the upcoming negotiations and indicated openness for ambitious developments of the body in the future. He suggested that staff should not be referred to in the proposal, given that the body will not be competent to cover staff. Additionally, he called for the involvement of all institutions in the nomination of the experts and supported the rotating chair of the body, suggesting that the secretariat should rotate with the chair to increase efficiency.

The **member of the Court of Auditors** stated that the Court was, in principle, in favour of the proposal and was open to fully participate in the Body given that the scope of the body is limited to the setting of standards. He affirmed that all EU institutions had a collective responsibility to build and maintain strong ethical rules to meet citizens' expectations. In this regard, he also signalled that in the future, the body's mandate might be expanded further at the request of the parties to the agreement. He underlined that the main value of the body was, in the Court's view, the strengthening of citizens' trust in the institutions.

The **Vice-President of the European Economic and Social Committee** signalled willingness to participate in the ethics body while underlining that the Committee already has strong internal ethical rules in place. He called upon the other institutions to consider the specific status of the Members of the Economic and Social Committee who represent civil society and are appointed by the Council. Therefore, references to post-mandate activity standards should be proportionate to reflect their situation.

The **member of the Committee of the Regions** welcomed the balanced proposal as a good basis for further discussions. He stated that the Committee has always been in favour of coordinated ethical rules between the EU institutions and advisory bodies if they respect the treaties and institutional specificities. He encouraged all institutions to move forward with negotiations by finding compromises on the most critical aspects. He stated that the standards could only apply to Members when acting in their European capacity and should not affect their national mandate which is covered by national ethical and legal rules. He also mentioned that the burden of costs should be shared proportionally to each institution's budget.

Commission Vice-President concluded the debate and expressed her satisfaction that no institution had objected to the possibility of engaging in negotiations. She underlined that the Commission was aware that many institutions had not yet a mandate. She also stated that the

concerns and specificities of each institution were heard and will be seriously discussed, both at technical and political level. She emphasised the Commission's wish for an agreement to be found as soon as possible.