

New Ethics Body Set Up to Develop Common Ethics Culture in EU Institutions



News

Thomas Wahl

On 15 May 2024, eight EU institutions signed an [agreement that sets up an EU ethics body](#). The agreement is designed to foster cooperation on ethical standards for the members of the parties to the agreement and to develop a common culture of integrity and ethics for the European Union's institutions. It is also seen as a step to avoid corruption scandals, such as Qatargate (→ [eucrim 4/2022, 242-243](#)).

Parties

Parties to the Agreement are: the European Parliament, the Council of the EU, the European Commission, the Court of Justice of the EU, the European Central Bank, the European Court of Auditors, the European Economic and Social Committee, and the European Committee of the Regions. The European Investment Bank has the opportunity to join the agreement upon its request.

Union bodies, offices or agencies, other than the parties to the Agreement, may voluntarily choose to apply the entire set of common minimum standards developed and to be developed by the Ethics Body, in relation to staff members, who hold a function similar to those of the members of the parties to this Agreement.

The European Council does not participate in the Agreement. Furthermore, with regard to the Council of the EU, [Member States declared](#) that they do not see a legal basis in the Treaties allowing the Council to establish a harmonised set of rules on ethical behaviour of the representatives of Member States within the Council. As a consequence, the representatives of the Member States' governments cannot be subject to the common ethical standards to be developed by the interinstitutional body. However, each Member State may, by means of voluntary and individual national declarations, make publicly available on the website of the interinstitutional body, during their term of office as Presidency of the Council and in the six months preceding and following this term, the information on either their national rules, standards or practices on ethical behaviour for the members of their governments which are relevant for the exercise of their role as Presidency of the Council. The Belgian Council Presidency agreed on this commitment and [published the Belgian ethical framework](#) on 15 May 2024.

Structure

The interinstitutional Ethics Body will be structured as follows: The participating institutions will each be represented by one senior member. The position of chair will rotate every year between the institutions. Five

AUTHOR

Thomas Wahl

Senior Researcher
Max Planck Institute for the
Study of Crime, Security and
Law

Published in
2024, Vol. 19(2) *eucrim* pp 111
– 112

ISSN: 1862-6947
<https://eucrim.eu>



independent experts will support the body's work and can be consulted by any party to the agreement on declarations of interest or other standardised written declarations.

Tasks and powers

The Ethics Body is mandated to promote a common culture of ethics and transparency amongst the parties, in particular by developing common minimum standards and by fostering the exchange of best practices on the matter. Its tasks shall be as follows:

- Developing common minimum standards for the conduct of the members of the parties in certain areas, such as financial and non-financial interests to be declared, external activities during the terms of office, and acceptance of gifts/awards;
- Updating the common minimum standards;
- Holding an exchange of views on the basis of each Party's self-assessment or the self-assessment of a voluntarily involved Union body, office or agency as regards the alignment of its own internal rules with the common minimum standards;
- Providing the parties with an abstract interpretation of common minimum standards;
- Promoting cooperation among the parties and with any other relevant European, national or international organisation;
- Issuing an annual report.

A critical point during the negotiations was whether the Ethics Body can (also) examine individual cases and potential breaches of ethical rules as well as recommend sanctions. The compromise now found is that each party may, if deemed relevant, consult the individual experts and pose specific questions to them; the experts can respond by confidential and non-binding written opinions.

History

Discussions on an ethics body at the EU level go back to 2019 when the [European Court of Auditors](#) pushed for a better interinstitutional ethics framework. In 2021, [the European Parliament](#) underlined its plea for a powerful, single and independent EU ethics body. In June 2023, the [Commission](#) tabled a [proposal](#) for the establishment of an interinstitutional ethics body which was, however, criticised by some institutions as being [too unambitious](#).

Statements

German MEP [Daniel Freund](#) (Greens/EFA) who was one of the main initiators of the interinstitutional ethics body from the part of the European Parliament [commented on occasion of the EP's vote](#) in favour of the agreement: "Today, we are creating more transparency, laying the foundation for greater citizen confidence in European democracy".

President of the European Court of Auditors, [Tony Murphy](#), said: "The principles of accountability, transparency and ethics stand as indispensable pillars of our Union, and are essential to its democratic, legitimate, and effective governance. This interinstitutional initiative demonstrates that there is a commitment to work together towards a common culture on ethics, which will also further increase citizens' trust in the EU institutions."

By contrast, [Shari Hinds](#) from [Transparency International EU](#) criticised that the new body is "without the necessary powers to address existing loopholes in the integrity systems of the European institutions. [It] is an ethics body in name only."

About eucrim

eucrim is the leading journal which regularly informs about current developments in European criminal and “criministrative” law.

All news items are freely accessible at: <https://eucrim.eu/news/>

Stay informed by emailing to eucrim-subscribe@csl.mpg.de to receive alerts for new releases of issues.

The project is co-financed by the [Union Anti-Fraud Programme \(UAFP\)](#), managed by the [European Anti-Fraud Office \(OLAF\)](#).



**Co-funded by
the European Union**