

Cross-party initiative to increase transparency, integrity and ethics in the European Parliament

This December, the European Parliament will vote on a new Code of Conduct which regulates ethics and integrity within the house, and on its Rules of Procedure, which govern the day-to-day functioning of the institutions. Ethics and transparency reforms are clearly necessary given the multiple scandals involving either current or former EU Commissioners, which are casting a bad shadow on the European Union as a whole.

As we work to improve ethics in the European Commission, we should also seize this opportunity to show citizens across Europe that we have heard their calls for more transparency and integrity. That is why a cross-party initiative to amend the Code of Conduct for MEPs and the Rules of Procedure has been launched. The proposed amendments focus on lobby transparency, revolving doors and access to documents. This document briefly explains each amendment.

On lobbying transparency:

Amendment	Text of the Amendment	Short Explanation
AM 1	<i>Members should adopt the systematic practice of only meeting interest representatives that have registered in the Transparency Register.</i>	If particular interest groups are covered by the scope of the transparency register, MEPs should strive to only meet them if they are transparent about their activities. The wording “systematic practice” allows for some exceptions, for example to protect political dissidents.
AM 2	<i>Members should publish online all scheduled meetings with interest representatives falling under the scope of the Transparency register. The Bureau shall provide for necessary infrastructure on Parliament's webpage.</i>	MEPs should also publish a list of meetings with interest representatives, if they're organised in advance. Obviously a chance encounter would not need to be reported.

On trilogue transparency:

Amendment	Text of the Amendment	Short Explanation
AM 3	For the purposes of access to documents, the term 'Parliament documents' means any content within the meaning of Article 3(a) of Regulation (EC) No 1049/2001 which has been drawn up or received by officers of Parliament within the meaning of Title I, Chapter 2, of these Rules, by Parliament's governing bodies, committees or interparliamentary delegations, or by Parliament's Secretariat, <i>including during the trilogue meetings.</i>	This amendment seeks to clarify that trilogue documents should be covered under the existing access to documents regulation. Legally this is already the case, but access to these documents are often refused in practice simply because they are related to trilogues. The access to documents rules have a specific exception to protect the decision-making process, which should be applied to trilogue documents in line with the case law of the European Court of Justice.
AM 4	Parliament shall establish a register of Parliament documents. Legislative documents, <i>including those from trilogue meetings,</i> and certain other categories of documents shall, in accordance with Regulation (EC) No 1049/2001, be made directly accessible through the register. References to other Parliament documents shall as far as possible be included in the register.	This amendment also seeks to clarify that trilogue documents, as with other documents, should be uploaded to the Parliament's register of documents: If they cannot be made publicly accessible because of the exceptions in the access to documents regulation, they should be listed so the public is aware of their existence. Trilogue documents that can be made public should be proactively published.

On side jobs of MEPs:

Amendment	Text of the Amendment	Short Explanation
AM 5	Any regular remunerated activity which the Member undertakes alongside the exercise of his or her office, whether as an employee or as a self-employed person, <i>and, where appropriate, their list of clients, in accordance with the relevant national legislation.</i>	This amendment seeks to improve the declarations of interest of Members, who are already obliged to list information about their side-jobs. Since in some cases, the descriptions (e.g. lawyer, consultant) are too vague to assess any potential conflicts of interest, a list of clients would be more appropriate.

On the revolving door:

Amendment	Text of the Amendment	Short Explanation
AM 6	<i>The Advisory Committee should look into these notifications to determine if their purpose is to influence or enable others to influence EU policy or decision-making. In such cases, the names and activities of former Members shall be published.</i>	In the current proposal from the AFCO committee, Members should notify the Advisory committee on ethics if they plan to engage in lobbying activities after leaving office. This addition ensures that the Advisory Committee would check these notifications, and ensure transparency if the ex-Member does take up a lobby job.
AM 7	<i>During a period of equivalent length to that during which former Members are eligible for a transitional allowance as defined in Article 13(2) of the Statute for Members of the European Parliament, they shall not engage in any kind of remunerated activity which purpose is to influence or enable others to influence EU policy or decision-making.</i>	This amendment proposes a sort of “cooling off period” that should last for the same amount of time as the ex-Member receives their transitional allowance. Since this is funded by European tax payers, the proposal is that the ex-MEP should not be paid for engaging in lobbying activities if they are also receiving public funds.

Improving the functioning of the advisory committee on ethics:

Amendment	Text of the Amendment	Short Explanation
AM 8	The Advisory Committee shall be composed of five members, appointed by the President Bureau at the beginning of his or her its term of office from amongst the members of the bureaux and the coordinators of the Committee on Constitutional Affairs and the Committee on Legal Affairs, taking due account of the Members’ experience and of political balance.	This amendment puts the decision of who should be part of the advisory committee in the hands of the Parliament bureau rather than only in the hands of the Parliament President. The pool of potential candidates to the Advisory committee is also enlarged to include any member of JURI or AFCO.
AM 9	If, taking into account that recommendation, the President concludes that the Member concerned has breached the Code of Conduct, he shall, after hearing the Member, adopt a reasoned decision laying down a penalty, which he shall notify to the Member. <i>If the President decides not to follow the recommendation of the Advisory Committee to impose a penalty, the advice of the Advisory Committee and the reasoning of the President shall be made public.</i>	This amendment is designed to avoid situations in which the Advisory committee provides a recommendation for follow-up but the Parliament President does not follow this advice. So far the EP president has not implemented any of the sanctions recommended to him, rendering the integrity system dysfunctional. With added transparency, there is clarity for citizens and MEPs alike about how a particular risk of conflict of interest was assessed and dealt with.