

Initial assessment by Transparency International EU of the leaked European Parliament internal reform proposals (overall assessment and detailed commentary of text)

Brussels, 11 January 2023

Guide to this document

This document contains the draft proposed measures that will be presented to the Conference of Presidents by President Metsola in the wake of the Qatargate scandal. Transparency International EU's take on each 'objective' has been included in the following format:

- - What is good
- - What is not good
- - What is missing

Overall

What's positive?

- It's a serious proposal that addresses many of the points we and our allies have been campaigning on for years. Some of these reforms are long overdue.
- The proposed rules will make it harder for third countries to engage in the kind of nefarious activity that is alleged to have taken place.
- There is much more emphasis on oversight, enforcement and sanctions than is presently the case. That's important, because proper oversight and enforcement are key to the rules being effective.

What's not?

- The proposals continue to rely entirely on self-enforcement. We know that doesn't work. Independent, external input is needed at all stages of the reform process. This also needs to be part of the new ethics framework being developed. The Parliament's own proposal for an EU ethics body lacks teeth and needs to be beefed up.
- There is too much emphasis on the role of Assistants, and too little on the role of MEPs themselves. In particular, the proposal to ask each MEP to appoint an Assistant as

"compliance officer" constitutes an unwelcome shift of responsibility. Only Members themselves should be responsible for their own conduct and that of their team.

What's missing?

- The big stuff - such as revision of the code of conduct, and revision of the whistleblower rules.
- There is no mention of MEP expenses. MEPs still receive almost €5,000 every month for office expenses, for which they don't need to provide any form of justification. This is wrong in principle, and it also attracts the wrong kind of people to serve as MEPs - the kind of people who are in it for the money, and who are open to being bribed.
- A commitment to reform the EU transparency register (which also requires agreement with Commission and Council)
- A commitment to constitute a Special Committee on EP integrity and ethics reform (this was included in the December EP resolution but is now missing)
- The EU's anti-fraud office OLAF currently doesn't have access to Members' offices. That needs to change.

Strengthening integrity, independence and accountability *First Steps*

The European Parliament prides itself on its openness, its accessibility and its defence of legislating in the public eye. The principle of 'openness builds trust' is one we hold dear and defend. Any abuse or misuse of the tools we created for this purpose must be addressed strongly, systematically and with any potential weaknesses addressed.

The events of the last month have led to a need to re-build trust with the European citizens we represent. Citizens, rightly, demand accountability and integrity. This document aims to propose the reinforcement of measures to immediately respond to that need and re-affirm the European Parliament's place as the best example of modern, open, multi-national parliamentary democracy.

The purpose of these proposals is to set out actions that can be implemented in the short term to reinforce the European Parliament's tools on transparency, ethics and conduct and to improve our working relationships with third countries.

These proposals constitute the starting point of a broader reform of the European Parliament.

The President requests the Conference of Presidents to mandate a taskforce to work with the relevant services to set out a rapid roll-out and implementation plan. The taskforce will consist of the President, Members of the Advisory Committee and an administrative task force. It would report to the Conference of Presidents.

The following objectives are intended to be a first step in reinforcing trust in European decision-making:

Objective 1: A new revolving door policy

A "cooling-off" period for former Members who wish to lobby Parliamentarians could be envisaged. For a period of twelve months following the end of their mandate, former Members would not be allowed to be registered in the Transparency Register and therefore not able to lobby the institution they served immediately following the end of their mandate.

TI EU reaction:

- A cooling-off period for MEPs is long overdue.
- The cooling-off period should be equal to time during which an MEP receives a transitional allowance from the taxpayer (from 5 to 24 months, depending on length of service), rather than being fixed at twelve months.
- The ban on lobbying should cover all activities covered by the Register.

Objective 2: Shining a brighter light on Members' activities

More and clearer information should be made available to the public. One option is to introduce an "integrity" tab on the front page of the European Parliament website that would centralise and contain information relating to the integrity of parliamentary work in one place. It could include detailed information on the following:

- sanctions;
- declarations of gifts;
- declarations of trips to third countries not paid for by the European Parliament;
- declarations of scheduled meetings;
- information on the code of conduct and advisory committee;
- information and links to the Transparency Register.

TI EU reaction:

- Creating a dedicated “integrity tab is an excellent idea and in line with European Commission practice (see [here](#)).
- The declarations of trips should be filled in for all third-country travel, including those paid for by the EP.
- All of the above-mentioned information should be made available in a searchable database in a machine-readable format. The information should be linked to the Transparency Register and all other relevant institutional databases.

Objective 3: Stronger checks on interest representatives

A listing in the Transparency Register should be an obligation for the participation in parliamentary hearings and other events for all lobbyists, NGOs and interest representatives.

Additional staff will be needed to optimise the scrutiny of the Transparency Register to ensure data quality and up-to date information on lobbying activities.

The European Parliament could conduct regular checks on those organisations on the Transparency Register, including asking for ad hoc verifications of links to third countries and funding streams.

A limit to the number of access badges per organisation could be introduced.

TI EU reaction:

- We support this.

Objective 4: Mandatory publication of meetings

A mandatory requirement for all Members to make public all scheduled meetings with third parties related to a report or resolution of the European Parliament should be introduced. This obligation currently exists only for Committee Chairs, Rapporteurs and Shadow Rapporteurs. This obligation could be extended to all Members, all Accredited Parliamentary Assistants, Political Group Staff and European Parliament staff.

The list of meetings will be made easily accessible to the public.

TI EU reaction:

- This is a welcome proposal overall.
- The rule should apply to all lobby meetings with interest and third country representatives, regardless of whether or not the meeting concerns a report or a resolution.

Objective 5: Enforcing a ban on friendship groups with third countries

Any activities or meetings of any unofficial groupings of Members that could result in confusion with official European Parliament Activities will be banned. This will apply to 'Friendship Groups' with third countries where other Parliament bodies already act as interlocutors. Third countries should interact with the Parliament through the Committee on Foreign Affairs, existing official Parliament delegations or other Committees as required.

The legal basis for this is Article 35 of the Rules of Procedure.

TI EU reaction:

- This is a good proposal.

Objective 6: Clarity on accessing the Parliament premises

The creation of a new entry log. All persons entering the European Parliament premises, including representatives of third countries, must upon entry to European Parliament buildings, provide information for an entry log stating the date, time and purpose of visit.

Arrangements can be made to also have this log as a digital or online option. Guests, with visitor badges, must, at all times, be accompanied by the person responsible for granting them access.

TI EU reaction:

- This is fine, but it should not serve as a substitute for the other rules governing transparency and publication of meetings.

Objective 7: Revision of rules on former Members

We could replace permanent access badges currently granted to former Members with new daily access badges. Former Members should no longer have the right to grant entry to anyone else and current access rights for the entourage of former Members can be removed.

Parliament's services can be asked to establish a dedicated desk and fast-lane specifically for accreditation of former Members.

Former members entering Parliament as interest representatives, after the cooling-off period, will have to be entered into the transparency register as per existing rules. They will be required to sign the newly created entry log.

TI EU reaction:

- Overall this is a good proposal.

Objective 8: Avoiding conflict of interests

We should enforce an obligation for Members to make a declaration on potential conflicts of interest before taking up a report or resolution as Rapporteur or Shadow Rapporteur and present it to the relevant committee (or plenary as needed). This will be managed by the relevant Committee secretariats.

Further checks and awareness raising should be implemented to ensure that Accredited Parliamentary Assistants are not allowed to form part of any organisation in a management role that has any connection with third countries.

TI EU reaction:

- Enforcement (and diligent oversight) are critical (and should already have been happening).
- The requirement on Assistants not to belong to the management of organisations that have a connection with third countries is too narrow - it should also apply to MEPs themselves and Parliament and group staff, and in general no MEP, APA or staff member should be involved in lobbying the EP.

Objective 9: Increased transparency on financial declarations

The level of detail required in Members Declaration of financial Interests should be increased and made clearer. More information should be included on Members' side

jobs and outside activities. Checks should be allowed to ensure proper enforcement of the rules.

TI EU reaction:

- Side paid activities should be forbidden altogether, as they are at the Commission.
- Income categories should be removed, and concrete amounts should be added in the declaration of financial interests to ensure accuracy. An exact description of activities must be provided to include the economic sector in which the activity takes place.

Objective 10: Introduction of compliance and whistleblowing training

Training for Members should be made available throughout the legislature. The European Parliament should enforce mandatory training for all Members' Accredited Parliamentary Assistants on financial rules, compliance, conduct, and whistleblowing, ensuring they are aware of all rules and systems to protect the integrity of the Institution, themselves and the Member they work with.

Every Member will need to appoint one APA as a Compliance Officer. This applies equally to APAs working for a delegation of Members.

TI EU reaction:

- APAs should not be handed a compliance role. There can be a designated “contact person” in each MEP office, but this should in no way be designed or construed as making APAs responsible for the compliance of their Member with the rules.
- Training for MEPs should be mandatory, not optional.
- Mandatory training for whistleblower rules must extend to any superior that would receive potential whistleblowing reports

Objective 11: Strengthening the Code of Conduct Committee

While the European Parliament has already proposed a new Ethics Body for EU Institutions, we will take action unilaterally to ensure that Members are required to request advice, easily and speedily, on possible conflicts on a systematic basis from the Code of Conduct Advisory Committee. The role of the Committee should be reinforced.

TI EU reaction:

- There is nothing positive about this proposal, which is designed to maintain the status quo.
- Independent members should be introduced in its membership, or completely replace the current MEP composition
- Dedicated Staff to support its activities
- Responsibilities expanded to all issues of ethics, transparency and accountability such as monitoring of compliance of conflicts of interests declarations, financial declarations, compliance of cooling off period obligations, etc.
- Right to pro-actively monitor and initiate investigations, request access to documents at national level, liaise with national authorities
- Assessments on potential breaches should include proposed sanctions, in case of breach. Decisions to be taken by the plenary rather than President alone (also not the Bureau). All investigations, should be public (just as is in the Commission)
- Annual reports of the Committee should include assessment of potential reforms to the Code of conduct, rules of procedure etc. Could lead to automatic triggering of rules of procedure change (bypassing right of AFCCO)

Objective 12: Fighting foreign interference while strengthening work on Human Rights

The European Parliament's work on protecting Human Rights around the globe is one we are proud of and must strengthen. We must do this by pushing back against any foreign interference in our work. Checks and balances for Motions for Resolution tabled with urgency, that have been the target of undue influence, can be strengthened and confidence in this critical aspect of the European Parliament's work restored.

Therefore the Conference of Presidents should apply an approach that only accepts requests for urgencies coming from a committee, after discussion within that Committee, with motions for resolutions limited in length and in scope to the Human Rights issue at hand.

TI EU reaction:

● We welcome all efforts to combat foreign interference and undue influence. We defer to human rights organisations as to whether these proposals go too far in restricting the ability of groups of MEPs to raise human rights concerns.

Objective 13: Boosting the fight against corruption

The European Parliament should reinforce its cooperation with Member State judicial and law enforcement authorities to ensure that the Institution is best able to respond and aid with any investigations into alleged criminal activities of Members or staff. We will look into what protection such national judicial and law enforcement institutions can provide to the Institution, particularly vis-à-vis third country attempts to influence the democratic process.

TI EU reaction:

- This is a welcome statement of intent.
- It's important to remember that in order for third countries to be able to bribe MEPs or staff, there must be MEPs and staff who are willing to be bribed.
- The European Parliament has a long-standing opposition to EU anti-fraud agency OLAF accessing the offices of Members to carry out investigations into possible fraud and corruption. This opposition should end. OLAF should have full access.

Objective 14: Sanctions

The list of sanctionable activities for Members will need to be revised accordingly to help compliance with the obligations and responsibilities listed in this document.

TI EU reaction:

- If you revise sanctionable activities, you should also revise the sanctions so that they can serve as a deterrent.
- Effective monitoring of sanctionable activities should also be ensured.