

Declaration Annex

1. EU institutions as model of transparency, accountability and integrity

Parliaments are a cornerstone of democracy. In order for a parliament to function properly, it is crucial that it represents the interests of citizens and that it is widely trusted to do so. However a recent Eurobarometer survey showed that 70% of EU citizens believe corruption exists in the institutions.¹ In 2011 the European Parliament passed its Code of Conduct,² setting out what is legal and acceptable behaviour for MEPs. The Code of Conduct bans MEPs from acting as lobbyists and requires that they disclose their financial interests in detail. However, there are still weaknesses³ that pose a challenge to European citizens' trust in their MEPs.

MEPs should strive for greatest possible parliamentary integrity and openness,⁴ including a 'cooling off' period, a ban on secondary employment, as well as robust sanctions for breaches of the code. Moreover, MEPs should voluntarily publish a 'legislative footprint'⁵, detailing all the relevant input from stakeholders regarding a particular piece of legislation.

2. Promoting greater integrity and transparency in public expenditure

Public procurement has long been considered the government activity most susceptible to corruption and fraud. In many European countries, high corruption combined with the vast sums of funds involved (in 2008 the total value of public procurement contracts in the EU was estimated at around 15 per cent of the EU's GDP (€1.7 trillion)) lead to immense waste but also have a profound effects on citizens' trust in their governments as well as the democratic system itself. Although legislation in line with EU directives is in place in all member states, greater transparency and more intense scrutiny of procurement processes is necessary.

MEPs should work towards increased disclosure and participation in public procurement, as set out in the Open Contracting Principles,⁶ both on the EU and national level. This includes the publication of extensive procurement documentation in high quality and an accessible manner. A transition to e-procurement should be supported.⁷ Special interest should be paid to the transparent and efficient use of European funds. According to the Special Eurobarometer survey on corruption, 52% of European citizens don't think European institutions help in reducing corruption in Europe. MEPs should lead by example and demand that information on European funds be published in line with Open Data standards, as set out for example in the G8 Open Data Charter.⁸

3. Providing strong protection to whistleblowers

One of the main obstacles in the fight against corruption, fraud and mismanagement is the inherently secret nature of such practices. Whistleblowers play a key role in exposing otherwise unknown acts of corruption or other wrongdoings, but by doing so they often take on high personal risks. Whistleblower legislation aims at encouraging the disclosing of information of public interest. This usually means safeguarding whistleblowers from retaliations and/or rewarding them for their actions.

¹ European Commission: Special Eurobarometer 397 – Corruption (http://ec.europa.eu/public_opinion/archives/ebs/ebs_397_en.pdf)

² European Parliament: Code of Conduct (<http://www.europarl.europa.eu/aboutparliament/en/0060f4f133/Ethics-and-transparency.html>)

³ Transparency International: EU Integrity System Study (http://www.transparencyinternational.eu/focus_areas/eu-integrity-study)

⁴ Transparencia Mexicana: 10 Principles of #Open Parliament (http://www.transparency.org/files/content/event/2013_OpenParliament_EN.jpg)

⁵ Transparency International: Legislative Footprint (http://www.transparency.org/files/content/corruptionqas/legislative_footprint.pdf)

⁶ Open Contracting Partnership: Open Contracting Global Principles

(http://www.open-contracting.org/global_principles)

⁷ Transparency International: Money, Politics, Power: Corruption Risks in Europe (<http://www.transparency.org/enis/report>)

⁸ G8: G8 Open Data Charter and Technical Annex (<https://www.gov.uk/government/publications/open-data-charter/g8-open-data-charter-and-technical-annex>)

Only 4 European Union member states provide effective protection for whistleblowers.⁹ Building on existing European Parliament resolutions (such as the October 2013 resolution¹⁰), the European Commission should consider submitting a legislative proposal to establish an effective and comprehensive European whistleblower protection programme in the EU, based on good practice as developed by the Council of Europe, the OECD and Transparency International. The programme and related EU laws should comply with Articles 11, 30 and 41 of the Charter of Fundamental Rights of the European Union, which address a person's rights to freedom of expression, protection from unjustified firing, and effective remedies and a fair trial, respectively. They should apply to employees in both the public and private sectors, as well as establish a full range of safe and secure disclosure channels for whistleblowers (including anonymous disclosures). All EU institutions and bodies should ensure strong protection mechanisms and support for their staff and members, in line with their legal obligations. Currently, only the European Commission has adequate mechanisms in place¹¹.

⁹ Whistleblowing in Europe: Legal Protections for Whistleblowers in the EU (http://www.transparency.org/whatwedo/pub/whistleblowing_in_europe_legal_protections_for_whistleblowers_in_the_eu)

¹⁰ European Parliament resolution of 23 October 2013 on organised crime, corruption and money laundering: recommendations on action and initiatives to be taken (final report) (2013/2107(INI))

(<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2013-0444&language=EN>)

¹¹ Transparency International: EU Integrity System Study (http://www.transparencyinternational.eu/focus_areas/eu-integrity-study)