Fight against corruption and follow-up of the CRIM committee resolution

2015/2110(INI) - 25/10/2016 - Text adopted by Parliament, single reading

The European Parliament adopted by 545 votes to 91, with 61 abstentions a resolution on the fight against corruption and follow-up of the CRIM resolution.

Following on from the recommendations set out in their resolution of 23 October 2013 on organised crime, corruption and money laundering, Members reiterated their call for the adoption of a **European Action Plan** to eradicate organised crime, corruption and money laundering, which should have adequate financial resources and qualified staff in order to be effective.

The resolution pointed out that the fight against fraud, corruption and money laundering must be a **political priority** for the EU institutions, and that **police and judicial cooperation** between Member States is therefore crucial.

The following recommendations were made:

Ensure the correct transposition of existing rules: Members called on the Commission to complete its assessment of the measures taken to transpose these instruments, to inform Parliament of the findings and, if necessary, to initiate infringement proceedings, especially with regard to Council Framework Decision 2008/841/JHA on the fight against organised crime and Directive 2008/99/EC of the European Parliament and of the Council on the protection of the environment through criminal law.

Parliament stressed in this regard the role of the **European crime prevention network** and the need to give it financial support.

Priorities and operational structure: Parliament suggested:

- combating crimes of association, rather than simply combating so-called target crimes;
- combating **money laundering, corruption and human trafficking** among its priorities within a genuine European anti–corruption strategy;
- establishing a specialist **Europol** unit to combat organised criminal groups which operate in several sectors at the same time.

A stronger legislative framework: with a view to **filling gaps** that may exist in the fight against organised crime and corruption and to **improve cross-border judicial cooperation**, Parliament called on the Commission to:

- revise existing legislation in order to introduce effective, proportionate and dissuasive penalties and to clarify the common definitions of crimes, including that of membership of a criminal organisation or association;
- submit a revised legislative proposal to combat environmental crimes.

The Commission should also draft **minimum rules concerning the definition of offences and penalties** in the following areas:

- general definitions of ‘public official’, the crime of fraud and the crime of corruption;

- a legislative proposal instituting a dedicated European programme to protect witnesses and persons who cooperate with the judicial process by reporting criminal organisations and organisations;
- a legislative proposal defining and instituting common rules for the protection of **whistleblowers** to be issued before the end of 2017;
- additional legislative initiatives for **strengthening the rights of suspects or accused persons** in criminal proceedings, with respect inter alia to pre–trial detention;
- specific legislation to fight the export of **radioactive materials and hazardous waste** and the illegal trade in fauna and flora.

More effective police and judicial cooperation at EU level: the Commission was invited to launch specific actions to enhance European cooperation in the fight against organised crime, corruption and money laundering.

Member States were asked to:

- systematically **input, make use of and exchange all data** deemed necessary and relevant concerning persons convicted of an offence linked to organised crime held in existing European databases and to invite the EU agencies Europol and Eurojust to facilitate this exchange of information;
- systematically exchange **all PNR data** deemed necessary and relevant concerning persons linked to organised crime.

Seizing the assets of criminal organisations: the Commission was asked to submit a legislative proposal to ensure mutual recognition of seizure and confiscation orders linked to national asset-protection measures.

The Commission and Member States were called upon to strengthen EU measures on the **tracing, freezing and confiscation of proceeds of crime**, as well as the management of frozen and confiscated property and its re-use for social purposes and as compensation for families of victims and businesses adversely affected by loan-sharking and racketeering.

Preventing organised crime and corruption from infiltrating the legal economy:

Parliament called on the Member States and the European institutions:

- to implement public **procurement monitoring instruments**, to draw up **blacklists** of any undertakings which have proven links with organised crime and/or engaged in corrupt practices and to bar them from entering into an economic relationship with a public authority and from benefiting from EU funds;
- to create **specialised structures at national level** to detect criminal organisations and to exclude public tender entities that are implicated in corrupt practices or money laundering;
- to increase the transparency of monetary transactions and to **improve the traceability of transactions** back to natural persons in order to trace criminal and terrorist funding (‘follow the money principle);.

On a specific level, Parliament recommended, inter alia:

- taking all necessary steps to prevent and combat **counterfeiting** of goods, medicines and agri-food products;
- tackling the links between the **drugs** market and other criminal activities and the impact that they have on the legal economy and legal trade;
- combatting the use by criminal organisations of the legal and **illegal gambling** circuits and match–fixing to launder money;

- giving special attention to **tax havens** and countries that pursue non-transparent or harmful tax prices, since EUR 1 trillion is lost to tax evasion and avoidance every year in the EU;
- developing a common action plan to prevent and combat illegal environment-related activities connected to organised, mafia-style criminal activities, such as **illegal waste trafficking and disposal**, including that of **toxic waste**, and destruction of the natural heritage;
- reinforcing Union legislation and cooperation between the Member States and with the Union agencies in the area of **cybercrime**;
- ensuring that the financing and support of terrorism by means of organised crime is made punishable and rapidly implement the Commission action plan against illicit trafficking in, and use of, firearms and explosives;
- ensuring that progress is made on international cooperation to combat trafficking in order to eradicate people-smuggling and minimise the influence of trafficking networks;
- developing an **effective anti-corruption strategy** in foreign policy to fight effectively against corruption and financial crime.

European Public Prosecutor's Office (EPPO): Members called once again for the establishment as soon as possible, with the participation of as many Member States as possible, of an EPPO that is efficient and independent from national governments and the EU institutions, and protected from political influence and pressure. The European Public Prosecutor's Office (EPPO) should constitute a central element in the fight against corruption in the European Union.