Corruption and human rights

2021/2066(INI) - 17/02/2022 - Text adopted by Parliament, single reading

The European Parliament adopted by 568 votes to 42, with 82 abstentions, a recommendation to the Council and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy on corruption and human rights.

Members recalled that **corruption is a crime** listed in Article 83(1) TFEU, which requires a common definition and approach due to its seriousness and cross-border dimension. The fight against corruption requires international cooperation and is an integral part of international commitments to uphold human rights.

Towards a comprehensive EU anti-corruption strategy

Parliament recommended adopting a human rights-based approach in the fight against corruption, with **victims of corruption** placed at its core, and place the fight against corruption at the front and centre of all EU efforts and policies promoting human rights, democracy and the rule of law around the world.

Members believe that corruption must be recognised as a global phenomenon, requiring anti-corruption institutions, effective prevention mechanisms and an international regulatory framework, as well as mechanisms for asset recovery and criminal prosecution within the EU. They called for work to be launched on an **internationally agreed definition of corruption**.

Stressing that **transparency** is the cornerstone of any anti-corruption strategy, Members therefore called for the abolition of excessive rules on professional secrecy in relevant sectors, in particular the financial sector, for the automatic exchange of information on tax fraud and evasion and for multinationals and public registers of beneficial owners to be encouraged to publish country-by-country information. Members recommended adopting a zero tolerance policy towards tax havens.

Coherence between internal and external policies

Parliament called for the credibility of the EU's external anti-corruption action to be strengthened by combating corruption, tax evasion, illicit trade, banking secrecy and money laundering more effectively within the EU. It recommended implementing and enforcing existing national and international anti-corruption instruments and strengthening the integration of the rights-based anti-corruption dimension in the EU's external action instruments.

Members called for ensuring that the highest ethical and transparency standards are applied in **EU funding** , including the financing of projects and loans by the EIB. They recommended prioritising the fight against corruption in pre-accession negotiations and criteria and including a strong and mandatory human rights conditionality framework with binding and enforceable human rights and anti-corruption clauses in all **trade and investment agreements** between the EU and third countries.

Criminal sanctions

Parliament recommended that the Council request the Commission to strengthen the EU anti-corruption framework and to present an EU directive on the subject on the basis of Article 83 TFEU, establishing common EU rules for criminal sanctions for corruption at EU level.

Members called for progress in efforts in all EU Member States to **freeze and confiscate stolen assets and the proceeds of corruption** on their territory, and to return them to the country of origin in a transparent and accountable manner. They suggested devising a set of appropriate actions (sanctions, civil and criminal confiscation of assets, criminal prosecution, asset return mechanisms) that ultimately lead to a repurposing of stolen assets to benefit victims of corruption. They called for common rules at EU level for the return of stolen assets.

Interference in democratic processes

Parliament recommended:

- closely monitoring foreign interference and establishing European funding rules for political parties and foundations, NGOs and the media and ensuring their strict application, especially when funds come from non-democratic countries and non-state actors, with a view to preventing elite capture and malign interference in the democratic processes and public affairs of the EU and partner countries;

- promoting dedicated programmes on political party financing and campaign spending as part of the EU's external democracy support to their countries;

- continuing to support free and fair electoral processes and promote accountability to voters, with particular attention to electoral fraud and vote buying.

A safe environment for those committed to preventing and fighting corruption

Parliament called for the development of programmes to provide increased financial support to civil society organisations, independent media, whistleblowers, investigative journalists and human rights defenders working to prevent and expose corruption and advance transparency and accountability, including support against strategic lawsuits against public participation (SLAPP suits).

Trade relations

Members called for: (i) the urgent introduction of binding EU legislation on human rights and environmental **due diligence**, imposed on all entities and business relationships throughout a company's value chain and; (ii) the development of an action plan to strengthen human rights due diligence in sectors such as finance, accounting or real estate, which often foster global corruption.

They also called for: (i) anti-corruption measures to be integrated into global anti-COVID actions; (ii) the recognition of the link between environmental degradation and destruction, which impedes the enjoyment of human rights, and underground networks of corruption and organised crime; and (iii) account to be taken of the fact that corruption exacerbates gender inequalities.