Combating corruption

2023/0135(COD) - 26/03/2026 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 581 votes to 21, with 42 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on combating corruption, replacing Council Framework Decision 2003/568/JHA and the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and amending Directive (EU) 2017/1371 of the European Parliament and of the Council.

The European Parliament adopted its position at first reading by amending the proposal as follows:

Corruption offences

Member States should take the necessary measures to ensure that the following behaviours, **when intentional**, constitute criminal offences: (i) corruption in the public and private sectors; (ii) misappropriation by a public official of property directly or indirectly entrusted to his management; (iii) bribery; (iv) unlawful exercise of public functions; (v) obstruction of justice; (vi) concealment of the true nature or origin of property with knowledge that such property is derived from the commission of an offence.

Penalties

Member States should take the necessary measures to ensure that the criminal offences referred to in the directive are punishable by effective, proportionate and dissuasive criminal sanctions consisting of **maximum prison sentences of at least three to five years for natural persons.**

Legal entities held responsible will be subject to sanctions or measures, criminal or non-criminal, proportionate to the seriousness of the conduct, such as (i) exclusion from access to public funding, including tendering procedures, subsidies, concessions and licenses, (ii) temporary or permanent ban from carrying out commercial activities or (iii) where it is in the public interest, publication of all or part of the court decision relating to the criminal offence committed and the sanctions or measures imposed.

Depending on the type of infringement, the **maximum amount of fines** may not be less than (i) 5% of the total worldwide turnover achieved of the legal person or an amount corresponding to EUR 40 million; (i) 3% of the total worldwide turnover of the legal person or an amount corresponding to EUR 24 million.

The fact that the offence was committed within the framework of a criminal organisation will be considered an aggravating circumstance. This will also be the case when the perpetrator took advantage of the vulnerable situation of a person involved in the commission of the offence.

Limitation periods

Member States may provide for a limitation period of (i) at least **eight years** from the commission of a criminal offence punishable by a maximum term of imprisonment of at least four years; (ii) at least **five years** from the commission of a criminal offence punishable by a maximum term of imprisonment of at least three years. Member States may also provide for a limitation period allowing for the enforcement of sanctions imposed following a final conviction for a sufficiently long period (at least five or ten years) after that conviction. They may also provide for a shorter limitation period.

Prevention of corruption

Member States should ensure **a high level of integrity, transparency and accountability** in public administration and decision-making, by promoting a culture of public service and strengthening the capacity of officials to prevent conflicts of interest and corruption.

They should put in place **prevention tools** including: (i) measures to ensure transparency in the financing of candidacies for elected public office and political parties; (ii) rules for asset declarations and verification of these declarations; (iii) interest declarations by national officials and the regulation of revolving door situations involving these officials; (iv) rules regarding failure to report substantial assets or interests.

National strategies

Each Member State should adopt and publish a national strategy on preventing and combatting corruption, establishing objectives, priorities and corresponding measures and the means to meet those objectives. This strategy should strive to ensure that such national strategy is developed in consultation with **civil society**, anti-corruption bodies or organisational units, independent experts, researchers, and other stakeholders, and shall take into account the specific circumstances of each Member State.

Member States will also need to take the necessary measures:

- to provide up-to-date **training** for its national agents, so that they are able to identify the different forms of corruption and risks of corruption that may arise in the performance of their duties;

- so that the instruments and products of the criminal offences referred to in the directive can be **detected, identified, frozen and confiscated**;

- to ensure that Europol's Secure Information Exchange Network Application (SIENA) is used for the **exchange of information** between competent law enforcement authorities;

- to apply the relevant rights under applicable law to the **victims** of offences under this Directive, including legal persons.

The amended text also contains a provision relating to the **rights of the public concerned** to participate in the proceedings.

Cooperation

Where the criminal offences referred to in this Directive are suspected to be of a cross-border nature, the competent authorities of the Member States concerned should consider referring the information related to those offences to appropriate competent Union institutions, bodies, offices or agencies.