



PARLIAMENTARY ASSEMBLY OF THE UNION FOR THE MEDITERRANEAN

RECOMMENDATIONS

of the Committee on Political Affairs, Security and Human Rights on asset recovery and efforts to tackle corruption in Europe and the southern Mediterranean countries post-2011

(a) Tackling corruption

1. Points out that corruption is a problem which affects modern society throughout the world, including on **both sides of the Mediterranean** and which undermines democracy and contributes to the instability of political systems; it acts as a considerable drain on regional GDP, is a barrier to foreign direct investment (FDI), hinders considerably procedures for awarding public and private contracts and the effectiveness of bilateral and multilateral cooperation, has a major impact on respect for human rights, social justice and political credibility, and affects disproportionately the most disadvantaged and marginalised groups in society;
2. Notes the **growing political awareness** of the need to tackle corruption, including tax havens, tax evasion and illicit capital flight, and welcomes the adoption of appropriate legislative frameworks and initiatives such as the Arab Region Parliamentarians Against Corruption (ARPAC); criticises, however, the fact that these measures do not always have the desired impact on the ground, in particular at local and regional levels;
3. Encourages all parliaments to **ratify the relevant international conventions, including the United Nations Convention against Corruption (UNCAC), and calls on governments to apply fully and without delay** these global instruments for tackling corruption;
4. Calls on the EU and the Member States of the PA-UfM to set anti-corruption criteria as part of their **bilateral and multilateral cooperation** and to monitor progress towards meeting these criteria by means of a peer assessment mechanism;
5. Urges the national PA-UfM parliaments to implement effective tools to improve transparency, accountability and professionalism in the area of **public contracts** and to strengthen the anti-corruption arrangements employed by **public authorities**; calls also for the courts to pay closer attention to cases of corruption in the context of the award of **private contracts**;
6. Encourages members of parliaments to actively support whistle-blowers, journalists, civil society organisations and **human rights activists** tackling corruption by affording them greater **legal protection** and ensuring that allegations of involvement in organised crime, corruption or money laundering **are not regarded as slanderous or libellous**, assuming there are well-founded grounds for making such allegations; stresses in particular the need to promote transparency and accountability
7. Supports the establishment of a UN Special Rapporteur on financial crime, corruption and human rights with a mandate which would be comprehensive but without prejudice to national legislation;

(b) Facilitating asset recovery

8. Stresses that asset recovery and determining the odious debt contracted under the former regimes are a moral and legal imperative towards the countries and peoples of the Southern Mediterranean and a crucial means of supporting economic development, and is therefore key to the success of the democratic transitions in Egypt, Tunisia and Libya;
9. Stresses that the freezing of assets is an EU **competence**, but that recovery and repatriation activities are EU Member State matters on the basis of national judiciaries; is aware, therefore, of the **technical, legal and judicial difficulties** associated with effective asset recovery, and believes that strong political will and genuine cooperation among multiple national agencies in requested and requesting countries would enable more swift progress to be made;
10. Calls on the parliaments of the countries concerned, therefore, to **actively promote judicial measures** aimed at ensuring closer cooperation between **police and judicial authorities** in the processing of requests to recover misappropriated funds;
11. Urges that the decisions taken at the Arab **Forum** on Asset Recovery (AFAR) in Marrakech in October 2013 be followed up and calls on the **EU-Tunisia and EU-Egypt working groups** to adopt a joint asset recovery **road map** for the European institutions and governments involved; calls also for a working group on **Libya** to be established, in cooperation with the international community;
12. Urges that the EU facilitate further the creation of **teams of multidisciplinary experts** (investigators, prosecutors, lawyers, etc.) **for the purpose of coordinating and exchanging best practice.**