

# Transparency International EU

The global coalition against corruption

## EU reaches deal on anti-money laundering rules, ending uncertainty about how watchdogs will access information on companies' real owners

Pia Engelbrecht-Bogdanov · Thursday, January 18th, 2024

Transparency International welcomes the new anti-money laundering directive and regulation, which the Council and the European Parliament announced an agreement on today. The new rules close many of the gaps in the EU's anti-money laundering framework, including by improving the capacities and powers of national supervisory bodies and competent authorities. This sixth directive, in particular, aims to improve both beneficial ownership and real estate registers across member states.

Under the new directive, those directly involved in the fight against money laundering will gain generalised access to beneficial ownership registers. This is a critical measure that ensures some level of beneficial ownership transparency is maintained, following the 2022 EU Court of Justice (CJEU) ruling that struck down public access to beneficial ownership registers. Generalised, rather than case-by-case access, means that civil society and media investigating money laundering and associated crimes – including corruption – will have the ability to continue scrutinising the real owners of companies and trusts.

We also welcome the harmonisation and coherence that the new regulation will bring to anti-money laundering efforts across the Union. In particular, the new rules will close a [longstanding loophole](#) by requiring foreign companies with investments across member states, including in real estate, to declare their beneficial owners.

**Roland Papp, Senior Policy Officer for Illicit Financial Flows at Transparency International EU, said:**

*“This directive creates new minimum standards for Member States in several areas that are essential to the fight against dirty money. The new rules will make it significantly harder for criminals to hide their ill-gotten gains in luxury properties, as authorities in the future will have better access to information about real estate*

ownership.

“It is now critical that Member States implement these rules without delay. Further, the European Commission and the new Anti-Money Laundering Authority (AMLA) will need to support Member States to enforce these strengthened rules in their fight against corruption and organised crime.”

**Maíra Martini, Head of Policy & Advocacy (Interim), Transparency International, said:**

*“We commend both the Council and Parliament for ensuring that no EU member state can lock journalists and activists out of beneficial ownership registers. It is particularly welcome that they will be granted generalised access, without having to demonstrate legitimate interest in every single case. However, it seems that co-legislators did not fully eliminate the possibility of sharing details about who is looking into them on to companies’ owners. The final text should include clear safeguards against retaliation and other risks for journalists and activists investigating corruption and financial crime.*

“At the same time, we are not giving up on public registers. The new directive, while welcome, is a short-term fix to prevent the EU from going back to the corporate secrecy era following the adverse ruling by EU’s highest court. Considering the critical importance of beneficial ownership information in tackling corruption and other abuses, EU co-legislators should explore frameworks other than anti-money laundering to restore full transparency over who owns companies and trusts.”

This week’s agreements complete negotiations on the anti-money laundering package first proposed by the Commission in July 2021. Last month, EU co-legislators reached an agreement on the new EU anti-money laundering authority, whose powers will include supervision of banks as well as national-level supervisory authorities. Transparency International had [advocated for the creation of such a body](#) since 2019. Taken together, new rules significantly strengthen EU’s defences against dirty money and, by extension, the fight against cross-border corruption.

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This entry was posted on Thursday, January 18th, 2024 at 2:04 pm