

18 May 2018

Open Letter from Civil Society to Governments Participating in the Open Government Partnership (OGP) in the European Union

Dear OGP Participating Governments,

We, the undersigned European and global organisations, are writing to call on you to propose as part of your country's 2018 National Action Plan (NAP) a commitment to establish an open register on beneficial ownership for companies and trusts in accordance with and going beyond the recently adopted EU [5th Anti-Money Laundering Directive \(AMLD5\)](#), and in line with [Action Commitment #2 of the OGP Paris Declaration](#).

Anonymous companies underpin corrupt and criminal financial transactions. They can be used to move, launder and spend tainted money in the global financial system without being detected. Documents in the Panama Papers, for example, have shown how kleptocrats and their families used anonymous companies to secretly control state assets and purchase global real estate.¹ For this reason, eliminating corporate secrecy is key to curbing illegal activities and contributing to the rebuilding of trust in European member states.

As of May 14, 2018, the EU [adopted](#) the AMLD5 to prevent terrorist financing and money laundering through the European Union's (EU) financial system. The revised Directive will strengthen the fight against corruption and money laundering in the EU and in developing countries by making public who owns and controls European companies. However, the new rules fail to extend full transparency to all structures operating in the EU, including foreign companies and most trusts².

During 2018, 15 countries in the EU will be co-creating their NAPs³. This is an opportunity for these countries to include in their NAPs, a commitment for an ambitious implementation of provisions on beneficial ownership transparency in AMLD5. Since Member States will be allowed to go beyond the legal requirements set out in the text in order to take a more proactive stance on transparency, we call on governments to:

- Propose in their NAP the implementation of a public beneficial ownership register for discussion and approval as part of the co-creation process.

¹ <https://panamapapers.icij.org/20160404-azerbaijan-hidden-wealth.html> [accessed 14 April 2017]

² The directive grants full transparency for trusts owning foreign companies.

³ Bulgaria, Croatia, Czech Republic, Estonia, Greece, Ireland, Italy, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Romania, Sweden, United Kingdom

- Adopt the highest standards of transparency as part of the beneficial ownership transparency commitment, which includes:
 - o ensuring free and easy access to the public to registers of beneficial ownership information of companies;
 - o granting public access to beneficial ownership information of trusts;
 - o developing the beneficial ownership registers along open data principles, including by implementing the Beneficial Ownership Data Standard ; and
 - o extending beneficial ownership transparency obligations to foreign companies to include those doing business or having a connection point to the EU.
- Propose in their NAP that the transposition of the 5th AMLD be carried out in an open and participatory manner in consultation with national stakeholders.

We look forward to working with governments participating in the OGP to ensure that the anti-money laundering directive in Europe meets its ambition and is effective in curbing the abuse of the corporate and financial systems for illicit activities.

Sincerely,

Helen Darbshire, Robin Hodess, Zuzana Wienk

From Europe:

Name of Organization	Name of Person	Country
Czech Center for Investigative Journalism	Pavla Holcova	Czech Republic
Oxfam International	Oliver Pearce	UK
Access Info Europe	Helen Darbshire	Spain
Transparency International Germany	Anna-Maija Mertens	Germany
Transparency International Latvia	Liene Gatere	Latvia
OpenOwnership	Zosia Szykowski	UK
Open Knowledge Foundation Germany	Michael Peters	Germany
Transparency International Estonia /Korruptsioonivaba Eesti	Carina Paju	Estonia
Global Witness	Nienke Palstra	UK
ePaństwo Foundation	Krzysztof Izdebski	Poland
Vouliwatch	Stefanos Loukopoulos	Greece
Fundación Ciudadana Civio	David Cabo	Spain
OpenCorporates	Mollie Hanley	UK
Stop Corruption Foundation / Nadácia Zastavme korupciu	Pavel Sibyla	Slovakia
K-Monitor	Sandor Lederer	Hungary
Transparency International - Česká Republika o.p.s.	Milan Eibl	Czech Republic
Transparency International UK	Robert Barrington	UK
Transparency International Italia	Chiara Putaturo	Italy
Riparte il futuro	Federico Anghelé	Italy
Transparency International Greece	Dr. Damaskou Anna	Greece
Transparency International Nederland	Anne Scheltema Beduin	Netherlands

Open Knowledge Denmark	Niels Erik Kaaber Rasmussen	Denmark
Open Knowledge International	Sander van der Waal	UK
APIT Portugal	Nuno Barroso	Portugal
Both ENDS	Wiert Wiertsema	Netherlands
Northern Europe Public Governance Centre	Janis Volberts	Latvia
Glopolis	Ondrej Kopečný	Czech Republic
Tax Justice UK	Robert Palmer	UK
Open State Foundation	Tom Kunzler	Netherlands
Resource Matters	Elisabeth Caesens	Belgium
The Green Land	Ton Zijlstra	Netherlands
Hivos	J. Huseman, & D. Dietrich	Netherlands
Tax Justice Network - Norge	Peter Ringstad	Norway
Datagraver	Stephan Okhuijsen	Netherlands
Kairos Europe	Francois Gobbe	Belgium
Christian Aid	Toby Quantrill	UK
InspirAction	Arantxa García	Spain
Parliament Watch Italy	Francesco Saija	Italy
GONG	Jelena Berković	Croatia
Network of Estonian Non-Profit Organizations	Alari Rammo	Estonia
ATTAC Ireland	Greg Timony	Ireland
Civic Alliance-Latvia	Kristine Zonberga	Latvia
Ekvilib Institute	Maruša Babnik	Slovenia
Fair Play Alliance	Zuzana Wienk	Slovakia

International and non-EU countries:

Name of your organization	Name of contact person	Country
Transparency International Secretariat	Patricia Moreira	International
The ONE Campaign	Joe Kraus	International
Web Foundation	Craig Fagan	International
Natural Resource Governance Institute	Suneeta Kaimal	USA
Development Gateway	Paige Kirby	USA
Open Contracting Partnership	Gavin Hayman	USA
Open Azerbaijan Initiative	Zohrab Ismayil	Azerbaijan
Club Commissaire Judiciaires au Maroc	Bousnina Redouane	Morocco
Terra-1530	Botnaru Petru	Moldova
Gambia Participates	Marr Nyang	Gambia
AFVMC - Aide aux Familles et Victimes des Migrations Clandestines	Wamba André Le Doux	Cameroun
Intermediaries Changing Center for sustainable development	Suhaib ahmad rababah	Jordan
People of Good Heart Initiative	Abiodun Samuel Eniola	Nigeria
Tanzania International Fellowship Program Alumni Association	Andrew Mushi	Tanzania

African Foundation for Environment and Development - AFED	Adeshola Afariogun	Nigeria
Twaweza East Africa	Aidan Eyakuze	Tanzania
United For The Protection Of Human Rights Advocacy Network-Sierra Leone	Lamin Fofanah	Sierra Leone
Association Tunisienne de Droit du Développement	Sihem Bouazza	Tunisia
International Association TIP	Gocha Gogvadze	Georgia
Care for the Elderly Intellectuals	Nasrulla Nurullayev	Azerbaijan
New Line Social Organization	Mohammad Qader Mesbah	Afghanistan
Entrepreneurship Development Foundation	Sabit Bagirov	Azerbaijan
Institute for Development of Freedom of Information	Saba Buadze	Georgia
"Constitution" Research Foundation	Alimammad Nuriyev	Azerbaijan
Azerbaijan Union of Disabled People Organisations	Davud Rahimli	Azerbaijan
Public Union Association for the Protection of Women's Rights after D.Aliyeva	Novella Jafarova	Azerbaijan
Umid SİD	İsrayil İsgandarov	Azerbaijan
ISHR ANS	Benanyarli Saadat	Azerbaijan
Democracy Learning Public Assosation	Mirali Huseynov	Azerbaijan
Biosfer Publik Unity	Gorkhmaz ibrahimli	Azerbaijan
Transparency Azerbaijan	Rena Safaralieva	Azerbaijan
Journalist Expert Centre	Musayev Jeyhun Musa oglu	Azerbaijan
Development Society and Civil Relation PA	Ahmed N. Abbasbeyli	Azerbaijan
Young Democratic Reformers Public Union	Vusala Huseynli	Azerbaijan
Public Union	Hajiyev Tamkhil Ziyeddin oghlu	Azerbaijan
Egyptian Initiative of Personal Rights	Osama Diab	Egypt
Rural Area Development Programme, RADP	Rajendra Bahadur Adhikari	Nepal
NGO Construisons Ensemble Le Monde	Ikopi Moleko, Gabriel Marcel	Democratic Republic of the Congo