

PIERRE MOSCOVICI
MEMBRE DE LA COMMISSION EUROPEENNE

Brussels, 18.01.2017

Ares (2017)

Dear Chairman,

Thank you for your letter of 13 January 2017.

I am pleased that you formally accepted, on behalf of the European Parliament's Committee of inquiry into money laundering, tax avoidance and tax evasion (PANA Committee), the Arrangement for the examination of non-classified confidential documents (the Arrangement). This enables us to deliver to the PANA Committee the non-classified confidential documents provided already to the TAXE and TAX2 Committees. The competent Commission services will be in contact with the PANA Secretariat to arrange the practical modalities for this.

As regards non-confidential documents transmitted via the restricted on-line CIRCABC platform, the Commission cannot agree that they are and remain public in nature and can be made publicly available without any conditions. In particular, it cannot be presumed that these documents do not contain sensitive or other information that should be redacted before they could be made publicly available. Accordingly, free dissemination of the documents must be avoided.

As you are aware, PANA's request for documents is governed generally by Decision 95/167/EC¹ and as to the practical modalities for making documents available to PANA by the provisions of the Framework Agreement on relations between European Parliament and the European Commission². The Commission provides these documents to Parliament as necessary for the PANA Committee of inquiry for the performance of its duties. Documents provided to the PANA Committee do not automatically become public *erga omnes*.

Mr Werner Langen
Chair of PANA Committee of Inquiry
European Parliament
60, rue Wiertz,
1047 Brussels

¹ OJ L 113, 19.5.1995, p. 1

² L 304/47, 20.11.2010

In view of the above and as indicated in my letter of 22 December 2016, we can provide the PANA Committee with the non-confidential documents via the restricted on-line CIRCABC platform accessible to persons *who have a need to know* for the purposes of the PANA Committee. These documents can indeed be made available outside the secure reading room but only to other persons who meet the aforementioned criteria. In this context, I note the list of the persons to whom we should grant access to the above CIRCABC site.

If you confirm the approach to non-confidential documents (restricted access on-line through the CIRCABC platform), we can shortly proceed with granting access to the list of persons provided by you.

Yours sincerely,



Pierre Moscovici