



European Parliament

D 320679 29.11.2016

Committee of Inquiry into Money Laundering, Tax Avoidance and Tax Evasion
The Chair

Mr Miroslav Lajčák
President in office, European General Affairs Council
Rue de la Loi 175
B-1048 Bruxelles
Belgique

Subject: Committee of Inquiry into money Laundering, Tax avoidance and Tax evasion (PANA). Request for documents pursuant to Article 3(4) of Decision 95/167/EC, Euratom, ECSC.

Dear President,

As you will most probably be aware, the European Parliament decided during its plenary session on 8 June 2016 to set up a Committee of Inquiry to investigate alleged contraventions and maladministration in the application of Union Law in relation to money laundering, tax avoidance and tax evasion (PANA), of which I have been elected as Chairman on July 12th.

In order to fulfil their tasks in the best possible way the PANA-Coordinators in their meeting on 21 November decided to request the Council, in accordance with Article 3(4) of Decision 95/167/EC, Euratom/ECSC,¹ to provide access to the documents you will find listed in the Annex to this letter.

In case any of the above-mentioned documents contains confidential or classified information, I should be grateful if access to these documents could be granted, where applicable in line with the Interinstitutional framework agreement between the European Parliament and the Council signed on 12 March 2014. The European Parliament will in any event ensure that any confidential information included in the documents at hand is accessible in accordance with the Bureau Decision of 10 April 2013 concerning the rules governing the treatment of confidential information by the European Parliament of (2014/C96/01).

To that end, I should be grateful if you could identify which documents contain information which is to be treated confidentially or is classified.

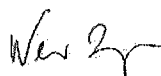
I will ask our secretariat to liaise with your services for the practical arrangements.

This request does not preclude any possible future requests for access to other documents than those listed in the Annex, which we may address to the Council.

¹ Decision 95/167/EC, Euratom/ECSC of the European Parliament, the Council and the Commission of 19 April 1995 on the detailed provisions governing the exercise of the European Parliament's right of inquiry, OJ L 113, 19.5.1995, p. 1.

On behalf of the PANA Committee, I thank you in advance for your efforts and look forward to a fruitful cooperation between us.

Yours sincerely,



Dr. Werner LANGEN

cc: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the European Council
Ambassador Peter JAVORČÍK, Chair of COREPER II, Council of the European
Union

Annex : List of documents the PANA committee requests access to.

List of documents requested by PANA committee

- All documents on investigations already undertaken as a follow-up of the Panama Papers - in general and specifically on Mossack Fonseca's operations from EU-based offices
- Member state meeting minutes from the following Council fora since 01.01.1995 or start of working group, whatever is more recent
 - High Level Working Party on Tax Questions
 - Working Party on Tax Questions
 - Code of Conduct Group on business taxation
 - Working Party on Financial Services dealing with AMLD issues
 - Working Party on Company Law
- (Internal) assessments of the implementation and enforcement of all Union law instruments referred to in the PANA mandate by member states in the context of money-laundering, tax avoidance and tax evasion
- Table of comments by national delegations on Commission's proposals for the legal basis included in the PANA committee mandate (especially for the 3rd and 4th AMLD and AMLR (information accompanying transfers of funds))
- Non-papers by national delegations during discussions on directives mentioned in the mandate of the PANA committee (especially 3rd and 4th AMLD and AMLR)
- Flash reports of meetings from financial services WG (dealing with AMLD and AMLR) and company law WG (dealing with accounting directive) - if they exist
- All existing versions of Presidency compromises for negotiations on all legal basis mentioned in the PANA committee mandate (especially AMLD, AMLR, DAC and Accounting directive).
- All relevant information, especially from FIUs, about obstacles to implement the anti-money laundering directives
- Information about information exchange on tax matters on cases related to the Panama Papers (especially for countries who had information prior to the scandal broke).
- Table of comments, positions and requests for changes to Commission's proposals for the legal basis included in the PANA committee mandate (especially for the 3rd and 4th AMLD and AMLR (information accompanying transfers of funds))
- All breaches of AMLD, AMLR, UCITs, AIFM, Accounting Directives, Audit Directive, Savings Tax Directive and directives on administrative cooperation brought to the attention of the national FIU and consequences drawn (penalties, information to Commission and/or Europol, changes in national law)