



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

2017/2013(INI)

7.9.2017

AMENDMENTS 314 - 667

Draft report
Petr Ježek, Jeppe Kofod
(PE604.514v01-00)

Report on the inquiry into Money Laundering, Tax Avoidance and Tax
Evasion
(2017/2013(INI))

AM_Com_NonLegReport

Amendment 314

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 55

Motion for a resolution

55. *Notes* that the EU's FIU platform identified several shortcomings in its mapping exercise and gap analysis on FIUs; *points out that this is owing to the non-implementation of AMLD III provisions, notably access to bank account information, and to significant discrepancies between national approaches;*

Amendment

55. *Stresses* that the EU's FIU platform identified several shortcomings *and inadequate implementation of European legislation* in its mapping exercise and gap analysis on FIUs, *concluding to breaches of implementation of AMLD III provisions; notes that it especially highlights insufficient capacity of foreign counterparts to provide information either because of lack of domestic access to relevant sources or due to constraints in the capacity to share available information; Notes also that the report highlighted the lack of capacity for FIUs to carry out joint analysis of cross border cases to identify money laundering and terrorist financing threats, risks and trends; deplores that by May 2016, only 16 Member States had or were in the process of putting in place automated mechanisms that enable them to identify holders of bank and payment accounts;* ^{1a}

^{1a} *Italy, Spain, Belgium, Bulgaria, Croatia, Greece, France, Czech Republic, Poland, Germany, Lithuania, Portugal, Romania, Slovenia, The Netherlands, and Austria.*

Or. en

Amendment 315

Luděk Niedermayer, Dariusz Rosati

Motion for a resolution
Paragraph 55

Motion for a resolution

55. Notes that **the EU's FIU platform identified several shortcomings in its mapping exercise and gap analysis on FIUs; points out that this is owing to the non-implementation of AMLD III provisions, notably access to bank account information, and to significant discrepancies between national approaches;**

Amendment

55. Notes that *in the mapping exercise and gap analysis on FIUs' powers and obstacles for obtaining and exchanging information adopted by the EU FIUs' platform identified several shortcomings including lack of an adequate capacity to obtain information from obliged entities and significant discrepancies between national approaches;*

Or. en

Amendment 316

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 55 a (new)

Motion for a resolution

Amendment

55a. Highlights that the mapping exercise by the EU's FIU platform also concludes to a lack of sufficiently detailed and harmonised European rules when it comes to fighting money laundering;

Or. en

Amendment 317

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 56

Motion for a resolution

Amendment

56. Highlights that some Member State institutions in charge of implementing and enforcing rules as regards tax fraud and money laundering appear to be not entirely independent from political influence³⁸ ;

56. Highlights that some Member State institutions in charge of implementing and enforcing rules as regards tax fraud and money laundering appear to be not entirely independent from political influence³⁸ ; *points out that the discretionary power of the police in some Member States whether or not to investigate information received from and confirmed by the FIU can qualify as maladministration in case of inaction; Notes that the Maltese FIU produced report on suspicions of money laundering involving Maltese Politically Exposed Persons, which has not led to police investigation so far; is concerned about allegations regarding possible non-compliance of competent authorities with anti-money laundering provisions enshrined in the Capital Requirements Directive IV, in particular requirements for qualifying shareholders and the fit & proper requirements for the management bodies when granting a banking licence;*
1a

³⁸ PANA mission report to Malta – 20 February 2017.

^{1a} Leaked Reports of the Financial Intelligence and Analysis Unit (FIAU) in Malta.

³⁸ PANA mission report to Malta – 20 February 2017.

Or. en

Amendment 318

Emilian Pavel, Emmanuel Maurel, Ana Gomes, Peter Simon

Motion for a resolution

Paragraph 56

Motion for a resolution

56. Highlights that some Member State institutions in charge of implementing and enforcing rules as regards **tax fraud and money laundering** appear to be not

Amendment

56. Highlights that some Member State institutions in charge of implementing and enforcing rules as regards **money laundering, tax avoidance and tax evasion**

entirely independent from political influence³⁸ ;

appear to be not entirely independent from political influence³⁸ ;

³⁸ PANA mission report to Malta – 20 February 2017.

³⁸ PANA mission report to Malta – 20 February 2017.

Or. en

Amendment 319 **Beatrix von Storch**

Motion for a resolution **Paragraph 56**

Motion for a resolution

56. Highlights that some **Member State** institutions in charge of implementing and enforcing rules as regards tax fraud and money laundering appear to be not entirely independent from political influence³⁸ ;

³⁸ PANA mission report to Malta – 20 February 2017.

Amendment

56. Highlights that some institutions in charge of implementing and enforcing rules as regards tax fraud and money laundering appear to be not entirely independent from political influence³⁸ ;

³⁸ PANA mission report to Malta – 20 February 2017.

Or. en

Amendment 320
Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 56 a (new)**

Motion for a resolution

Amendment

56a. Notes that at least one Member State - Malta - had a Minister in government, as part of the Politically Exposed Persons mentioned in the Panama Papers; Notes that for most Member States the Committee visited with

a fact-finding mission ^{1a}, inquiries were started after the Panama Papers revelations; Regrets however, that in some countries, like in Malta, there has been no police investigation despite evidence from the FIU of serious risks of money laundering; Regrets that this lack of investigation prevented the possibility to identify and if necessary sanction intermediaries in Malta, which may have not be compliant with their obligations, including customer due diligence; Draws attention on the online gambling sector and its licencing procedures in Malta, which may not be compliant with the law as online gambling is a high-risk sector due to the huge volumes of transactions/financial flows and non-face to face elements, as identified in its supra-national risks assessment ^{1b}; Condemns that the Commission didn't investigate further on possible non-compliance by Malta to the AMLD, despite having brought this to its attention;

^{1a} the United Kingdom, Luxembourg, Malta, Portugal, Cyprus

^{1b} COM(2017) 340 final page 5

Or. en

Amendment 321

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution Paragraph 56 a (new)

Motion for a resolution

Amendment

56a. Notes that the number of convictions for money laundering in the EU is still very low; and that the reasons for this may be found in the fact that as in many countries crimes are not added up,

then the harder crime (which is generally the predicative offence) is punished^{1a};

^{1a} *Brigitte Unger, 'Offshore activities and money laundering: recent findings and challenges', March 2017.*

Or. en

Amendment 322

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 57

Motion for a resolution

57. Highlights that infringement letters were sent to *several* Member States for failing to implement AMLD III and that six Member States (Belgium, France, Spain, Ireland, Poland and Sweden) were brought to court; notes that the Polish case was withdrawn but that the other five Member States were sanctioned for failing to implement the directive on time; stresses, however, that this raises questions as to whether infringement procedures are sufficient to verify the quality of implementation by Member States;

Amendment

57. *Expresses concerns at the low level of compliance by some EU Member States with international AML/CFT standards, as showed in FATF or Moneyval peer-reviews;* Highlights that infringement letters were sent to 22 Member States for failing to implement AMLD III and that six Member States (Belgium, France, Spain, Ireland, Poland and Sweden) were brought to court; notes that the Polish case was withdrawn but that the other five Member States were sanctioned for failing to implement the directive on time; stresses, however, that this raises questions as to whether infringement procedures are sufficient to verify the quality of implementation by Member States *and suggests to further explore the possibility of economic sanctions for non-compliance with European Directives;*

Or. en

Amendment 323

Lud k Niedermayer, Dariusz Rosati

Motion for a resolution
Paragraph 57

Motion for a resolution

57. Highlights that infringement letters were sent to several Member States for failing to implement AMLD III and that six Member States (Belgium, France, Spain, Ireland, Poland and Sweden) were brought to court; notes that the Polish case was withdrawn but that the other five Member States were sanctioned for failing to implement the directive on time; ***stresses, however, that this raises questions as to whether infringement procedures are sufficient to verify the quality of implementation by Member States;***

Amendment

57. Highlights that infringement letters were sent to several Member States for failing to implement AMLD III and that six Member States (Belgium, France, Spain, Ireland, Poland and Sweden) were brought to court; notes that the Polish case was withdrawn but that the other five Member States were sanctioned for failing to implement the directive on time;

Or. en

Amendment 324
Beatrix von Storch

Motion for a resolution
Paragraph 57

Motion for a resolution

57. Highlights that infringement letters were sent to several Member States for failing to implement AMLD III and that six Member States (Belgium, France, Spain, Ireland, Poland and Sweden) were brought to court; notes that the Polish case was withdrawn but that the other five Member States were sanctioned for failing to implement the directive on time; ***stresses, however, that this raises questions as to whether infringement procedures are sufficient to verify the quality of implementation by Member States;***

Amendment

57. Highlights that infringement letters were sent to several Member States for failing to implement AMLD III and that six Member States (Belgium, France, Spain, Ireland, Poland and Sweden) were brought to court; notes that the Polish case was withdrawn but that the other five Member States were sanctioned for failing to implement the directive on time;

Or. en

Amendment 325

Angel Dzhambazki, Bernd Lucke

Motion for a resolution

Paragraph 57

Motion for a resolution

57. Highlights that infringement letters were sent to several Member States for failing to implement AMLD III and that *six* Member States (Belgium, France, Spain, Ireland, **Poland** and Sweden) **were brought to court; notes that the Polish case was withdrawn but that the other five Member States** were sanctioned for failing to implement the directive on time; stresses, however, that this raises questions as to whether infringement procedures are sufficient to verify the quality of implementation by Member States;

Amendment

57. Highlights that infringement letters were sent to several Member States for failing to implement AMLD III and that **five** Member States (Belgium, France, Spain, Ireland and Sweden) were sanctioned for failing to implement the directive on time; stresses, however, that this raises questions as to whether infringement procedures are sufficient to verify the quality of implementation by Member States;

Or. en

Amendment 326

Brian Hayes, Seán Kelly

Motion for a resolution

Paragraph 57

Motion for a resolution

57. Highlights that infringement letters were sent to several Member States for failing to implement AMLD III and that six Member States (Belgium, France, Spain, Ireland, Poland and Sweden) were **brought to court**; notes that the Polish case was withdrawn but that the other five Member States were sanctioned for failing to implement the directive on time; stresses, however, that this raises questions as to whether infringement procedures are sufficient to verify the quality of

Amendment

57. Highlights that infringement letters were sent to several Member States for failing to implement AMLD III and that six Member States (Belgium, France, Spain, Ireland, Poland and Sweden) were **referred to the European Court of Justice in October 2008**; notes that the Polish case was withdrawn but that the other five Member States were sanctioned for failing to implement the directive on time; stresses, however, that this raises questions as to whether infringement procedures are

implementation by Member States;

sufficient to verify the quality of
implementation by Member States;

Or. en

Amendment 327

Ana Gomes, Emmanuel Maurel, Sergio Gaetano Cofferati, Hugues Bayet, Evelyn Regner, Tibor Szanyi, Peter Simon

Motion for a resolution

Paragraph 57 a (new)

Motion for a resolution

Amendment

57a. Reaffirms its support, in line with the recommendations of the European Parliament resolution of 25 November 2015 on tax rulings and other measure similar in nature or effect (2015/2066(INI)), to the key role of the European Commission as the competent competition authority in the ongoing state aid inquiries dealing with tax rulings granted by Member States vis-à-vis multinational corporations and deplores the decision of the Irish government of challenging in the Court of Justice of the European Union the decision of the European Commission ordering Ireland to recover 13 billion EUR in taxes not paid by Apple, Inc.;

Or. en

Amendment 328

Luděk Niedermayer, Dariusz Rosati

Motion for a resolution

Paragraph 58

Motion for a resolution

Amendment

58. Concludes that by not responding adequately to these shortcomings,

deleted

Member States have allegedly failed to enforce AMLD III effectively; points also to the fact that the Commission has potentially failed to enforce these provisions by not initiating infringement procedures;

Or. en

Amendment 329

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 58

Motion for a resolution

58. Concludes that by not responding adequately to these shortcomings, Member States have allegedly failed to enforce AMLD III effectively; points also to the fact that the Commission has potentially failed to enforce these provisions by not initiating infringement procedures;

Amendment

58. Concludes that by not responding adequately to these shortcomings, Member States have allegedly failed to enforce AMLD III effectively; ***Concludes that by not empowering FIUs to cooperate as foreseen in AMLD III, Member States have breach article 4 of the Lisbon Treaty on sincere cooperation;*** points also to the fact that the Commission has potentially failed to enforce these provisions by not initiating infringement procedures;

Or. en

Amendment 330 Beatrix von Storch

Motion for a resolution Paragraph 58

Motion for a resolution

58. Concludes that ***by not responding adequately to these shortcomings, Member States have allegedly failed to***

Amendment

58. Concludes that the Commission has potentially failed to enforce ***AMLD III*** by not initiating infringement procedures;

enforce AMLD III effectively; points also to the fact that the Commission has potentially failed to enforce *these provisions* by not initiating infringement procedures;

Or. en

Amendment 331
Barbara Kappel

Motion for a resolution
Paragraph 58

Motion for a resolution

58. Concludes that by not responding adequately to these shortcomings, Member States have allegedly failed to enforce AMLD III effectively; points also to the fact that the Commission has potentially failed to enforce these provisions by not initiating infringement procedures;

Amendment

58. Concludes that by not responding adequately to these shortcomings, *some* Member States *may* have allegedly failed to enforce AMLD III effectively; points also to the fact that the Commission has potentially failed to enforce these provisions by not *responding with adequate measures, such as* initiating infringement procedures;

Or. en

Amendment 332
Ana Gomes, Emmanuel Maurel, Sergio Gaetano Cofferati, Elly Schlein, Hugues Bayet, Evelyn Regner, Pervenche Berès

Motion for a resolution
Paragraph 58 a (new)

Motion for a resolution

58a. Notes that some Member States often resorted to tax amnesties for the regularisation of undeclared assets held offshore, which whitewashed possible ill-gotten assets and prevented proper money laundering investigations in their jurisdictions;

Amendment

Amendment 333

Ana Gomes

Motion for a resolution

Paragraph 58 b (new)

Motion for a resolution

Amendment

58b. Deplores that the Troika of institutions (European Commission, European Central Bank and the International Monetary Fund) overseeing financial and fiscal adjustment programs in Member States such as Portugal and Greece did not attempt to prevent tax amnesties, tax rulings, tax benefits and tax exemption schemes which were unfairly discriminatory, favouring tax dodging corporations and individuals, causing high bleeding of State revenues and increasing the burden on already overtaxed small and medium-sized enterprises (SMEs) and citizens; regrets that, under Troika supervision, Portugal enacted in 2012 a third tax amnesty, which represented an official money laundering scheme, not even compelling the repatriation of capitals stashed outside the country;

Or. en

Amendment 334

Luděk Niedermayer, Dariusz Rosati

Motion for a resolution

Paragraph 59

Motion for a resolution

Amendment

59. Regrets that the Commission, owing to a lack of staff, has failed to carry out proper supervision of AMLD

deleted

*implementation in the Member States;
notes also that the Commission has failed
to carry out an independent assessment of
the EU anti-money laundering list of
high-risk third countries;*

Or. en

Amendment 335

Ana Gomes, Emmanuel Maurel, Hugues Bayet, Evelyn Regner, Peter Simon, Pervenche Berès

Motion for a resolution Paragraph 59

Motion for a resolution

59. Regrets that the Commission, owing to a lack of staff, has failed to carry out proper supervision of AMLD implementation in the Member States; notes also that the Commission has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries;

Amendment

59. Regrets that the Commission, owing to a lack of staff, has failed to carry out proper supervision of AMLD implementation in the Member States, ***even when prompted to do so in particular cases reported***; notes also that the Commission has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries; ***and regrets that the Commission has failed to investigate and evaluate the impact of “golden visas” and Investors Programmes enacted by Member States to outsmart each other, in jeopardizing internal market competition, weakening AML controls, importing criminality and corruption and in receiving the proceeds of crime and corruption from kleptocrats from all continents***;

Or. en

Amendment 336 Markus Ferber

Motion for a resolution

Paragraph 59

Motion for a resolution

59. Regrets that the Commission, owing to a lack of staff, has failed to carry out proper supervision of AMLD implementation in the Member States; notes also that the Commission has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries;

Amendment

59. Regrets that the Commission, owing to a lack of staff, has failed to carry out proper supervision of AMLD implementation in the Member States; notes also that the Commission, ***despite repeated requests by Parliament***, has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries; ***takes the view that the timetable proposed by the Commission for drawing up a list of its own is not ambitious enough***;

Or. de

Amendment 337

Dariusz Rosati

Motion for a resolution

Paragraph 59

Motion for a resolution

59. ***Regrets*** that the Commission, ***owing to a lack of staff, has failed*** to carry out proper supervision of AMLD implementation in the Member States; ***notes also that the Commission has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries***;

Amendment

59. ***Notes*** that the Commission, ***in order*** to carry out proper supervision of AMLD implementation in the Member States, ***should have enough staff working on this matter***.

Or. en

Amendment 338

Barbara Kappel

Motion for a resolution

Paragraph 59

Motion for a resolution

59. Regrets that the Commission, owing to a lack of staff, has failed to carry out proper supervision of AMLD implementation in the Member States; notes also that the Commission has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries;

Amendment

59. Regrets that the Commission, ***potentially*** owing to a lack of staff, has failed to carry out proper supervision of AMLD implementation in the Member States; notes also that the Commission has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries;

Or. en

Amendment 339
Beatrix von Storch

Motion for a resolution
Paragraph 59

Motion for a resolution

59. Regrets that the Commission, owing to a ***lack*** of staff, has failed to carry out proper supervision of AMLD implementation in the Member States; notes also that the Commission has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries;

Amendment

59. Regrets that the Commission, owing to a ***misallocation*** of staff, has failed to carry out proper supervision of AMLD implementation in the Member States; notes also that the Commission has failed to carry out an independent assessment of the EU anti-money laundering list of high-risk third countries;

Or. en

Amendment 340
Ana Gomes

Motion for a resolution
Paragraph 59 a (new)

Motion for a resolution

Amendment

59a. Regrets that from 2011 to 2014 - the period when Portugal was under Troika (EC, ECB and FMI) monitoring and brutally increased taxes on citizens

and SMEs - European and national banking supervision and national tax authorities were inattentive to capital transfers into offshores, to the extent that at least 10 billion euros were transferred without tax and anti-money laundering controls mostly into Panama, of which 8 billion were ordered by corporations linked to Group Espírito Santo, prior to the collapse of Bank Espírito Santo, but at a time when the regulators were already investigating the Bank and the Group;

Or. en

Amendment 341

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Subheading 3

Motion for a resolution

Amendment

Intermediaries³⁹

Enablers and promoters

³⁹ Percentages in this chapter are based on ICIJ data that have been analysed by the Centre for European Policy Studies (CEPS) at the request of the EP Committee of Inquiry into Money Laundering, Tax Evasion and Tax Avoidance.

Or. en

Amendment 342

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 60

Motion for a resolution

60. Recalls that according to AMLD IV, the current definition of obliged **reporting** entities includes financial and credit institutions, auditors, accountants and tax advisors, notaries, trust and company service providers, real estate agents, providers of gambling services and other independent legal professionals;

Amendment

60. Recalls that according to AMLD IV, the current definition of obliged entities includes financial and credit institutions, auditors, accountants and tax advisors, notaries, trust and company service providers, real estate agents, providers of gambling services and other independent legal professionals; ***Recalls that according to AMLD IV, Member States are required to ensure that their competent authorities responsible for supervision have the adequate financial, human and technical resources to perform their functions (Article 37 3 AMLD and Article 48 AMLD) and notes that deficiencies relating to resources have been detected through FATF's and Moneyval's Mutual Evaluation Reports;***

Or. en

Amendment 343

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 61

Motion for a resolution

61. Recalls the obligation of obliged entities to perform CDD and report money laundering suspicions under the AMLD; ***notes that for legal professionals this applies only when they are not covered by legal professional secrecy or privilege;***

Amendment

61. Recalls the obligation of obliged entities to perform CDD and report money laundering suspicions under the AMLD;

Or. en

Amendment 344

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 62

Motion for a resolution

62. Recalls that enhanced CDD is required notably for clients who are politically exposed persons (PEPs), in order to establish the source of wealth and source of funds; recalls that credit and financial institutions are required to have systems in place that enable them to respond fully and rapidly to enquiries from FIUs, in accordance with their national law;

Amendment

62. Recalls that enhanced CDD is required notably for clients who are politically exposed persons (PEPs) **and other high-risk customers**, in order to establish the source of wealth and source of funds; recalls that credit and financial institutions are required to have systems in place that enable them to respond fully and rapidly to enquiries from FIUs, in accordance with their national law;

Or. en

Amendment 345

Paul Tang, Emmanuel Maurel, Elly Schlein, Hugues Bayet, Ana Gomes, Peter Simon

Motion for a resolution
Paragraph 63 a (new)

Motion for a resolution

Amendment

63a. Recalls that in some cases self-regulating professional bodies acted on malversations by intermediaries only after the Panama Papers revelations, showing inadequate or ineffective regulatory and sanctioning mechanisms.

Or. en

Amendment 346

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 64

Motion for a resolution

64. Underlines that in many Member States tax evasion, facilitated by those enablers, is not a predicate crime for money laundering, since it does not fall under serious crime in their penal code, and that in some Member States tax evasion is a misdemeanour and therefore would only be considered an administrative offence; **notes** that AMLD IV, the transposition deadline for which expired on 26 June 2017, **aims** to harmonise **this point**;

Amendment

64. Underlines that in many Member States tax evasion, facilitated by those enablers, is not a predicate crime for money laundering, since it does not fall under serious crime in their penal code, and that in some Member States tax evasion is a misdemeanour and therefore would only be considered an administrative offence; **welcomes** that AMLD IV, the transposition deadline for which expired on 26 June 2017, **aims to harmonise predicate crimes for money laundering; notes that the European Parliament's mandate for the trialogue negotiations on AMLD V includes the decoupling of tax crimes from the requirement of being punishable by deprivation of liberty or a detention order; points out the need to harmonise tax crimes at EU level by a distinct criminal law instrument to be adopted under Article 83(2) TFEU or ultimately under Article 116 TFEU if Member States are unable to agree on eliminating distortion of the conditions of competition in the internal market**;

Or. en

Amendment 347
Lud k Niedermayer, Dariusz Rosati

Motion for a resolution
Paragraph 64

Motion for a resolution

64. Underlines that in many Member States tax evasion, facilitated by those enablers, is not a predicate **crime** for money laundering, since it does not fall under serious crime in their penal code,

Amendment

64. Underlines that in many Member States tax evasion, facilitated by those enablers, is not a predicate **offences** for money laundering, since it does not fall under serious crime in their penal code,

and that in some Member States tax evasion is a misdemeanour and therefore would only be considered an administrative offence; notes that AMLD IV, the transposition deadline for which expired on 26 June 2017, aims to harmonise this point;

and that in some Member States tax evasion is a misdemeanour and therefore would only be considered an administrative offence; notes that AMLD IV, the transposition deadline for which expired on 26 June 2017, aims to harmonise this point; *notes the Commission proposal on countering money laundering by criminal law published on 21 December 2016;*

Or. en

Amendment 348
Beatrix von Storch

Motion for a resolution
Paragraph 66

Motion for a resolution

66. Welcomes the Commission's *proposal on the automatic exchange of tax schemes proposed by intermediaries, published on 21 June 2017;*

Amendment

deleted

Or. en

Amendment 349
Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 66

Motion for a resolution

66. Welcomes the Commission's proposal on the automatic exchange of tax schemes proposed by *intermediaries*, published on 21 June 2017;

Amendment

66. *Takes notes* the Commission's proposal on the automatic exchange of tax schemes proposed by *enablers and promoters*, published on 21 June 2017; *and the fact that among the hallmarks related to cross-border transaction it has included arrangements where the recipient is resident for tax purposes in a jurisdiction*

that does not impose any corporate tax, or imposes corporate tax at zero rate or at a statutory corporate tax rate lower than half the average statutory corporate tax rate in the Union;

Or. en

Amendment 350

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 66**

Motion for a resolution

66. Welcomes the Commission's proposal on the automatic exchange of **tax** schemes proposed by intermediaries, published on 21 June 2017;

Amendment

66. Welcomes the Commission's proposal on the automatic exchange of **cross-border aggressive tax avoidance** schemes proposed by intermediaries, published on 21 June 2017; **encourages Member States to extend the scope of the Directive to purely domestic cases;**

Or. en

Amendment 351

Lud k Niedermayer, Dariusz Rosati

Motion for a resolution **Paragraph 66**

Motion for a resolution

66. Welcomes the Commission's proposal on **the** automatic exchange **of tax schemes proposed by intermediaries**, published on 21 June 2017;

Amendment

66. Welcomes the Commission's proposal on **mandatory** automatic exchange **information in the field of taxation in relation to reportable cross-border arrangements**, published on 21 June 2017;

Or. en

Amendment 352

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 66 a (new)

Motion for a resolution

Amendment

66a. Regrets that the Commission's proposal on the automatic exchange of tax schemes proposed by enablers and promoters, published on 21 June 2017 includes hallmarks concerning transfer pricing that are too generic to be useful in practice as they rely on enablers and promoters disclosing tax schemes that are not 'arm's length'; and that the proposal remains vague in its definition of aggressive tax planning, itself a vague term, thereby further allowing enablers and promoters the creation of socially harmful tax schemes; is of the opinion that Member States and the Commission should focus on putting in place robust tax legislation that does not allow for such schemes in the first place;

Or. en

Amendment 353

Paul Tang, Emmanuel Maurel, Evelyn Regner, Ana Gomes, Peter Simon

Motion for a resolution

Paragraph 66 a (new)

Motion for a resolution

Amendment

66a. Regrets the fact that the proposal stipulates only a reporting obligation and not an immediate prohibition of the disclosed scheme after being reviewed and considered as an improper use of a tax system.

Amendment 354

Paul Tang, Emmanuel Maurel, Evelyn Regner, Ana Gomes

Motion for a resolution

Paragraph 66 b (new)

Motion for a resolution

Amendment

66b. Regrets the fact that the proposal does not contain a clear and simple ban on the use of some of some of the so called generic hallmarks of the contract between intermediary and client; i.e. secrecy and the use of a premium fee.

Or. en

Amendment 355

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 67

Motion for a resolution

Amendment

67. Recalls that Directive 2013/36/EU on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms (CRD IV) requires Member States to ensure that administrative penalties for financial institutions found liable for a serious breach of the national provisions adopted pursuant to AMLD III are applied;

67. Recalls that Directive 2013/36/EU on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms (CRD IV) requires Member States to ensure that administrative penalties for financial institutions found liable for a serious breach of the national provisions adopted pursuant to AMLD III are applied; ***recalls that CRD IV requires competent authorities to refuse authorisation to commence the activity of a credit institution if, taking into account the need to ensure the sound and prudent management of a credit institution, they are not satisfied as to the suitability of the***

shareholders or members, i.e. inter alia if there are reasonable grounds to suspect that money laundering or terrorist financing is being or has been committed or attempted, or that the proposed acquisition could increase the risk thereof;

Or. en

Amendment 356

Emmanuel Maurel, Elly Schlein, Sergio Gaetano Cofferati, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon

Motion for a resolution

Paragraph 67 a (new)

Motion for a resolution

Amendment

67a. Recalls that the European Parliament, through the vote on the reports of the TAXE and TAX2 special committees, voted in favour of a strict regulation of advisors' activities, in order to prohibit any conflict of interest, and by separating their advisory activities to tax administrations and to private clients;

Or. en

Amendment 357

Evelyn Regner, Peter Simon, Emmanuel Maurel, Hugues Bayet

Motion for a resolution

Paragraph 69

Motion for a resolution

Amendment

69. Notes that the amended Directive on Statutory Audits of Annual Accounts and Consolidated Accounts 2014 (SAD 2014) and SARPIE (for public-interest entities) should have been implemented by 17 June 2016, with the exception of Article

69. Notes that the amended Directive on Statutory Audits of Annual Accounts and Consolidated Accounts 2014 (SAD 2014) and SARPIE (for public-interest entities) should have been implemented by 17 June 2016, with the exception of Article

16(6) of SARPIE, which should have been implemented by 17 June 2017;

16(6) of SARPIE, which should have been implemented by 17 June 2017; *notes that the Panama Papers revealed that there is a need for a revision of Directive 2014/56/EU*;

Or. en

Amendment 358

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution Paragraph 70

Motion for a resolution

70. Notes that the Panama Papers include in total 14 000 *intermediaries*, of which about 2 700, or 19 %, are located in the EU⁴⁰ ;

⁴⁰ ‘Role of advisors and intermediaries in the schemes revealed in the Panama Papers’, Willem Pieter de Groen, Centre for European Policy Studies, April 2017.

Amendment

70. Notes that the Panama Papers include in total 14 000 *enablers and promoters of tax evasion, tax avoidance and money laundering*, of which about 2 700, or 19 %, are located in the EU⁴⁰ ;

⁴⁰ ‘Role of advisors and intermediaries in the schemes revealed in the Panama Papers’, Willem Pieter de Groen, Centre for European Policy Studies, April 2017.

Or. en

Amendment 359

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution Paragraph 71

Motion for a resolution

71. Notes that EU *intermediaries* mentioned in the Panama Papers are responsible for the creation of approximately 20 %, or 39 700, of all the

Amendment

71. Notes that EU *enablers and promoters of tax evasion, tax avoidance and money laundering* mentioned in the Panama Papers are responsible for the

entities established by Mossack Fonseca;

creation of approximately 20 %, or 39 700, of all the entities established by Mossack Fonseca;

Or. en

Amendment 360

Luděk Niedermayer, Dariusz Rosati

Motion for a resolution

Paragraph 71

Motion for a resolution

71. Notes that EU intermediaries mentioned in the Panama Papers are responsible for the creation of approximately **20** %, or 39 700, of all the entities established by Mossack Fonseca;

Amendment

71. Notes that EU intermediaries mentioned in the Panama Papers are responsible for the creation of approximately **18.6** %, or 39 700, of all the entities established by Mossack Fonseca;

Or. en

Amendment 361

Dariusz Rosati

Motion for a resolution

Paragraph 71

Motion for a resolution

71. Notes that EU intermediaries mentioned in the Panama Papers ***are responsible for the creation of*** approximately 20 %, or 39 700, of all the entities established by Mossack Fonseca;

Amendment

71. Notes that EU intermediaries mentioned in the Panama Papers ***helped to create*** approximately 20 %, or 39 700, of all the entities established by Mossack Fonseca;

Or. en

Amendment 362

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 71 a (new)

Motion for a resolution

Amendment

71a. Stresses the multiplication of tax and money laundering revelations since the setting-up of this committee, including the latest to date involving Scottish limited partnerships which acted as shell companies to channel several billions from Azerbaijan into the UK between 2012 and 2014; Is concerned that the UK decided in June 2017 only to require such limited partnerships to disclose their ownership information to the UK register for companies; Calls on the Commission to assess the money laundering risks at Union level of limited partnership structures in Member States as more than half of such structures in the UK declared to have no information on their beneficial owners;

Or. en

Amendment 363

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 72

Motion for a resolution

Amendment

72. Notes that law firms, accountants, trust and fiduciary companies and banks are the most prevalent types of intermediaries but that many other self-regulated and non-regulated professionals can also provide **these** services;

72. Notes that law firms, accountants, trust and fiduciary companies and banks are the most prevalent types of intermediaries but that many other self-regulated and non-regulated professionals can also provide **tax and financial** services, **such as offshore incorporation and tax planning**;

Amendment 364
Raymond Finch

Motion for a resolution
Paragraph 73

Motion for a resolution

Amendment

73. Notes that wealth managers in particular remain insufficiently regulated in EU law, and in Member States' and third countries' national laws; finds that the multinational nature of their services provides a particular challenge for correct and proper monitoring and sanctioning of their activities;

deleted

Amendment 365
Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 73

Motion for a resolution

Amendment

73. Notes that wealth managers in particular remain insufficiently regulated in EU law, and in Member States' and third countries' national laws; finds that the multinational nature of their services provides a particular challenge for correct and proper monitoring and sanctioning of their activities;

73. Notes that ***banks, wealth managers, auditors, and tax and legal advisors***, in particular remain insufficiently regulated in EU law, and in Member States' and third countries' national laws; finds that the multinational nature of their services provides a particular challenge for correct and proper monitoring and sanctioning of their activities;

Amendment 366

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 73

Motion for a resolution

73. Notes that wealth managers in particular remain insufficiently regulated in EU law, and in Member States' and third countries' national laws; finds that the multinational nature of their services provides a particular challenge for correct and proper monitoring and sanctioning of their activities;

Amendment

73. Notes that wealth managers in particular remain insufficiently ***defined and*** regulated in EU law, and in Member States' and third countries' national laws; finds that the multinational nature of their services provides a particular challenge for correct and proper monitoring and sanctioning of their activities;

Or. en

Amendment 367

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 74

Motion for a resolution

74. Observes that whether ***intermediaries*** are supervised or self-regulated depends on the jurisdiction and the type of intermediary or advisor; notes that many of these structures are based outside the obliged entities' jurisdiction and that many cases are therefore not covered by legislative requirements; notes that the majority of EU ***intermediaries*** are based in the United Kingdom, Luxembourg and Cyprus⁴¹;

Amendment

74. Observes that whether ***enablers and promoters of tax evasion, tax avoidance and money laundering*** are supervised or self-regulated depends on the jurisdiction and the type of intermediary or advisor; notes that many of these structures are based outside the obliged entities' jurisdiction and that many cases are therefore not covered by legislative requirements; notes that the majority of EU ***enablers and promoters*** are based in the United Kingdom, Luxembourg and Cyprus⁴¹, ***as well as in other countries belonging to the European Economic Area (e.g. Liechtenstein) and to the European Free Trade Association (e.g. Switzerland)***;

⁴¹ ‘Role of advisors and intermediaries in the schemes revealed in the Panama Papers’, Willem Pieter de Groen, Centre for European Policy Studies, April 2017.

⁴¹ ‘Role of advisors and intermediaries in the schemes revealed in the Panama Papers’, Willem Pieter de Groen, Centre for European Policy Studies, April 2017.

Or. en

Amendment 368

Sergio Gaetano Cofferati, Emmanuel Maurel, Juan Fernando López Aguilar, Hugues Bayet, Ana Gomes, Peter Simon, Nessa Childers

Motion for a resolution Paragraph 74

Motion for a resolution

74. Observes that whether intermediaries are supervised or self-regulated depends on the jurisdiction and the type of intermediary or advisor; notes that many of these structures are based outside the obliged entities’ jurisdiction and that many cases are therefore not covered by legislative requirements; notes that the majority of EU intermediaries are based in the United Kingdom, Luxembourg and Cyprus⁴¹ ;

⁴¹ ‘Role of advisors and intermediaries in the schemes revealed in the Panama Papers’, Willem Pieter de Groen, Centre for European Policy Studies, April 2017.

Amendment

74. Observes that whether intermediaries are supervised or self-regulated depends on the jurisdiction and the type of intermediary or advisor; notes that many of these structures are based outside the obliged entities’ jurisdiction and that many cases are therefore not covered by legislative requirements; notes that the majority of EU intermediaries are based in the United Kingdom, Luxembourg and Cyprus⁴¹, ***which rank among the top ten countries with the most active intermediaries listed in the Panama Papers^{41a}***;

⁴¹ ‘Role of advisors and intermediaries in the schemes revealed in the Panama Papers’, Willem Pieter de Groen, Centre for European Policy Studies, April 2017.

^{41a} Top 10 countries where intermediaries operate, ICIJ.

Or. en

Amendment 369

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 75

Motion for a resolution

75. Observes that trusts and fiduciary companies as well as company service providers form the most important group demanding the creation of offshore entities from Mossack Fonseca, followed by accountants, tax advisors, lawyers and consultants, who are responsible for about one third of the established offshore entities⁴² ;

⁴² Based on a mapping exercise of intermediaries responsible for about 86 % of the entities in the ICIJ database.

Amendment

75. Observes that trusts and fiduciary companies as well as company service providers form the most important group demanding the creation of offshore entities from Mossack Fonseca, followed by accountants, tax advisors, lawyers and consultants, who are responsible for about one third of the established offshore entities⁴² ; ***Recalls that Mossack Fonseca mostly gained clients under the recommendation of intermediaries and that these new clients were only lightly checked under costumer due diligence;*** ^{1a}

^{1a} ***In an email from Mossack Fonseca on 03 February 2012, a representative of the company explains that there has been an agreement with HSBC private Bank Lux to work directly with Mossack Fonseca and that the new clients will only receive a « DDlight » based on information provided by the bank***

⁴² Based on a mapping exercise of intermediaries responsible for about 86 % of the entities in the ICIJ database.

Or. en

Amendment 370

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 76

Motion for a resolution

76. Highlights that intermediaries help establish shell companies and open accounts, often providing a nominee director to manage the assets working on behalf of the real beneficiary, resulting in anonymity for the UBO;

Amendment

76. Highlights that intermediaries help establish shell companies and open accounts, often providing a nominee director to manage the assets working on behalf of the real beneficiary, resulting in anonymity for the UBO; ***Recalls evidence provided by the French FIU that banks, law firms, accountants and other intermediaries are the main architects designing offshore structures and networks for their clients, Mossack Fonseca being mostly a service provider to implement them;***

Or. en

Amendment 371

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

**Motion for a resolution
Paragraph 76**

Motion for a resolution

76. Highlights that ***intermediaries help establish*** shell companies and ***open*** accounts, often providing a nominee director to manage the assets working on behalf of the real beneficiary, resulting in anonymity for the UBO;

Amendment

76. Highlights that ***the functioning of the offshore finance eco-system crucially depends on the services provided by enablers and promoters and that without them it could have never grown to this scale; observes that, inter alia, these services include establishing*** shell companies and ***opening*** accounts, often providing a nominee director to manage the assets working on behalf of the real beneficiary, resulting in anonymity for the UBO;

Or. en

Amendment 372

Sajjad Karim

**Motion for a resolution
Paragraph 76**

Motion for a resolution

76. Highlights that intermediaries **help establish** shell companies and open accounts, often providing a nominee director to manage the assets working on behalf of the real beneficiary, resulting in anonymity for the UBO;

Amendment

76. Highlights that intermediaries **may help in establishing** shell companies and open accounts, often providing a nominee director to manage the assets working on behalf of the real beneficiary, resulting in anonymity for the UBO;

Or. en

**Amendment 373
Angel Dzhambazki, Bernd Lucke**

**Motion for a resolution
Paragraph 76**

Motion for a resolution

76. Highlights that intermediaries **help establish** shell companies and open accounts, often providing a nominee director to manage the assets working on behalf of the real beneficiary, resulting in anonymity for the UBO;

Amendment

76. Highlights that intermediaries **may help in establishing** shell companies and open accounts, often providing a nominee director to manage the assets working on behalf of the real beneficiary, resulting in anonymity for the UBO;

Or. en

**Amendment 374
Marco Valli**

**Motion for a resolution
Paragraph 77**

Motion for a resolution

77. Highlights that the real estate market provides a significant avenue for individuals to launder or invest illicitly gained funds, as property is purchased

Amendment

77. Highlights that the real estate market provides a significant avenue for individuals to launder or invest illicitly gained funds, as property is purchased

through anonymous shell companies or trusts without being subject to proper due diligence;

through anonymous shell companies or trusts without being subject to proper due diligence; ***draws attention to the need to reinforce monitoring and money laundering standards in this area; to this end, underlines the importance of making information on the possession and control of immovable property fully accessible to the authorities and the public by means of a central property register at European level;***

Or. it

Amendment 375

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution Paragraph 77

Motion for a resolution

77. Highlights that the real estate market provides a significant avenue for individuals to launder or invest illicitly gained funds, as property is purchased through anonymous shell companies or trusts without being subject to proper due diligence;

Amendment

77. Highlights that the real estate market provides a significant avenue for individuals to launder or invest illicitly gained funds, as property is purchased through anonymous shell companies or trusts without being subject to proper due diligence, ***, particularly when Member States legislation allows foreign companies and other legal structures to buy property without revealing the identity of their real beneficial owner”^{1a} ;***

^{1a} Maíra Martini, ‘Doors wide open: corruption and real estate in four key markets’, 2017

Or. en

Amendment 376

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 77

Motion for a resolution

77. Highlights that the real estate market provides a significant avenue for individuals to launder or invest illicitly gained funds, as property is purchased through anonymous shell companies or trusts without being subject to proper due diligence;

Amendment

77. Highlights that the real estate market provides a significant avenue for individuals to launder or invest illicitly gained funds, as property is purchased through anonymous shell companies or trusts without being subject to proper due diligence, *as evidenced for example for the London property market*;

Or. en

Amendment 377
Enrico Gasbarra

Motion for a resolution
Paragraph 77 a (new)

Motion for a resolution

Amendment

77a. Is concerned about the recent practice of new strategic channels and innovative forms of money laundering, such as the passage and cleansing of illicit capital through luxury real estate business, sale of securities and life insurance policies;

observes that the illicit money deposited through the redemption of these transactions is transformed into legitimate funds deriving from legitimate transactions, hopes therefore that the anti-money laundering rules will also be extended to the luxury real estate market in the goal of preventing new illicit phenomena

Or. en

Amendment 378

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 77 a (new)

Motion for a resolution

Amendment

77a. Highlights that insurance products, particularly life insurance, provide a very attractive and simple means of laundering money and that money launderers and terrorist organisations take extreme measures to hide their financial activities and make them indistinguishable from legitimate transactions;

Or. en

Amendment 379

Cora van Nieuwenhuizen

Motion for a resolution

Paragraph 77 a (new)

Motion for a resolution

Amendment

77a. Highlights that crypto currencies provide a significant avenue for individuals to launder or invest illicitly gained funds, as crypto currencies are virtually unregulated in the EU and transactions can still be done anonymously;

Or. en

Amendment 380

Enrico Gasbarra, Evelyn Regner, Ana Gomes, Peter Simon

Motion for a resolution
Paragraph 77 b (new)

Motion for a resolution

Amendment

77b. Is concerned about the recent practice of new strategic channels and innovative forms of money laundering, such as the passage and cleansing of illicit capital through luxury real estate business, sale of securities and life insurance policies;

observes that the illicit money deposited through the redemption of these transactions is transformed into legitimate funds deriving from legitimate transactions, hopes therefore that the anti-money laundering rules will also be extended to the luxury real estate market in the goal of preventing new illicit phenomena;

Or. en

Amendment 381

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 78

Motion for a resolution

Amendment

78. Highlights that obliged entities outsourced their CDD obligations to third parties in some cases, which often resulted in little or no CDD being carried out;

78. Highlights that obliged entities outsourced their CDD obligations to third parties in some cases, which often resulted in little or no CDD being carried out; *highlights that anti-money laundering obligations apply only to obliged entities within the scope of AMLD IV and not to third parties; points out that the European Parliament's mandate for the triilogue negotiations on AMLD V suggests Member States to require competent*

authorities to monitor effectively activities of persons whom AML/CFT related tasks are delegated by obliged entities and self-regulatory bodies;

Or. en

Amendment 382

Luděk Niedermayer, Dariusz Rosati

Motion for a resolution

Paragraph 78

Motion for a resolution

78. Highlights that obliged entities outsourced their CDD obligations to third parties in some cases, ***which often resulted in little or no CDD being carried out;***

Amendment

78. Highlights that obliged entities outsourced their CDD obligations to third parties in some cases;

Or. en

Amendment 383

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 80

Motion for a resolution

80. Notes that in some countries tax evasion is not a criminal offence ***and*** that tax advisors ***are expected to identify the cheapest tax constructions for their clients,*** as they otherwise make themselves liable to pay damages to their clients;

Amendment

80. Notes that in some countries tax evasion is not a criminal offence, ***which risks amplifying the phenomenon;*** ***Regrets*** that tax advisors ***have a duty to advise their clients with all possibilities to minimize taxation, including with risky schemes that could be considered illegal,*** as they otherwise make themselves liable to pay damages to their clients; ***Worryingly notes that according to legislation in certain Member States, some intermediaries are not liable to***

prosecution for being complicit in a tax evasion offence if such offence is taking place in another country;

Or. en

Amendment 384
Dariusz Rosati

Motion for a resolution
Paragraph 80

Motion for a resolution

80. Notes that in some countries tax evasion is not a criminal offence *and* that tax advisors are expected to identify the cheapest tax constructions for their clients, as they otherwise make themselves liable to pay damages to their clients;

Amendment

80. Notes that in some countries tax evasion is not a criminal offence; *Notes* that tax advisors are expected to identify the cheapest tax constructions for their clients, as they otherwise make themselves liable to pay damages to their clients;

Or. en

Amendment 385
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 80

Motion for a resolution

80. Notes that in some countries tax evasion is not a criminal offence and that tax advisors are expected to identify the *cheapest* tax constructions for their clients, as they otherwise make themselves liable to pay damages to their clients;

Amendment

80. Notes that in some countries tax evasion is not a criminal offence and that tax advisors are expected to identify the *most favourable* tax constructions for their clients, as they otherwise make themselves liable to pay damages to their clients;

Or. de

Amendment 386
Raymond Finch

Motion for a resolution
Paragraph 82

Motion for a resolution

Amendment

82. Stresses that the EU legislation in place is not sufficiently enforced and that this allows intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules;

deleted

Or. en

Amendment 387

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 82

Motion for a resolution

Amendment

82. Stresses that the EU legislation in place is not sufficiently enforced and that this allows intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules;

82. Stresses that the EU legislation in place is not sufficiently enforced and that this allows intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules; *Deplores that intermediaries, especially financial entities adopt a decentralized approach where anti-money laundering standards varied too much from branch to branch; Believe that the headquarter of an intermediary should always be responsible for ensuring the proper implementation of AML standards in all business areas and branches;*

Or. en

Amendment 388

Ana Gomes

Motion for a resolution
Paragraph 82

Motion for a resolution

82. Stresses that the EU legislation in place is not sufficiently enforced and that this allows intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules;

Amendment

82. Stresses that the EU legislation in place is not sufficiently enforced and that this allows intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules, , ***namely by invoking "professional secrecy" or "banking secrecy"***;

Or. en

Amendment 389

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 82

Motion for a resolution

82. Stresses that the EU legislation in place is not sufficiently enforced and that this allows ***intermediaries*** to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules;

Amendment

82. Stresses that the EU legislation in place is not sufficiently enforced and that this allows ***enablers and promoters of tax evasion, tax avoidance and money laundering*** to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules;

Or. en

Amendment 390

Pervenche Berès, Emmanuel Maurel, Marju Lauristin, Emilian Pavel, Tibor Szanyi, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon

Motion for a resolution
Paragraph 82 a (new)

Motion for a resolution

Amendment

82a. *Insists on the fact that the competent authorities should not wait to be overwhelmed by the increasing use of digital technologies by tax advisers and taxpayers; believes competent authorities should develop accordingly their own tools and investigating capacities; believes it could offer new opportunities for competent authorities with regard to the recurrent issue of resources' allocation or to improve cooperation amongst them;*

Or. en

Amendment 391

Ana Gomes

Motion for a resolution

Paragraph 82 a (new)

Motion for a resolution

Amendment

82a. *Notes with great concern that the development of digital technologies and their ever growing and wide-spreading use in trade, economic and financial transactions, are making AML and tax controls easy to frustrate, while national tax, law enforcement and judicial authorities are not properly equipped to deal with such challenges;*

Or. en

Amendment 392

Mario Borghezio, Marco Zanni

Motion for a resolution

Paragraph 82 a (new)

Motion for a resolution

Amendment

82a. *Proposes that the right to vote at meetings of shareholders of listed companies should be suspended in the case of legal entities that do not declare in advance the identity of natural persons who are the ultimate owners of holdings in them, including those represented by trust funds.*

Or. it

Amendment 393

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 82 a (new)

Motion for a resolution

Amendment

82a. *Points out that the free movement of capital and the promotion of tax competition within the EU are two of the key elements enabling and promoting tax evasion, tax avoidance, capital flight and money laundering;*

Or. en

Amendment 394

Petras Auštrevičius

Motion for a resolution

Paragraph 82 a (new)

Motion for a resolution

Amendment

82a. *Points the need for a shaming regime for intermediaries which could discourage intermediaries to circumvent their obligations and to encourage compliance.*

Or. en

Amendment 395

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 83

Motion for a resolution

83. Notes that banks, other financial institutions and wealth managers set up approximately one sixth of the entities revealed in the Panama Papers; highlights that banks intermediated in about 9 % of the offshore entities that were incorporated by Mossack Fonseca;

Amendment

83. Notes that banks, other financial institutions and wealth managers set up approximately one sixth of the entities revealed in the Panama Papers; highlights that banks intermediated in about 9 % of the offshore entities that were incorporated by Mossack Fonseca; ***Notes that several banks appearing in the Panama Papers have been bailed out with public money between 2008 and 2012;***

Or. en

Amendment 396

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution Paragraph 83

Motion for a resolution

83. Notes that banks, other financial institutions and wealth managers ***set*** up approximately one sixth of the entities revealed in the Panama Papers; highlights that banks intermediated in about 9 % of the offshore entities that were incorporated by Mossack Fonseca;

Amendment

83. Notes that banks, other financial institutions and wealth managers ***are active players in initiating these practices, setting*** up approximately one sixth of the entities revealed in the Panama Papers; highlights that banks intermediated in about 9 % of the offshore entities that were incorporated by Mossack Fonseca;

Or. en

Amendment 397
Marco Valli

Motion for a resolution
Paragraph 83 a (new)

Motion for a resolution

Amendment

83a. Recalls that the majority of illicit financial flows related to money laundering, tax evasion and tax avoidance pass through the international banking system; deplores the fact that European banking institutions whose active and systematic involvement in such practices has been proven continue to operate freely without any penalties whatsoever having been applied; is of the opinion that suspending or revoking banks' licences is a necessary and exceptionally effective deterrent with a view to preventing the banking system from being used in future for illegal money-laundering activities or tax avoidance and evasion schemes;

Or. it

Amendment 398
Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 84

Motion for a resolution

Amendment

84. Recognises that banks were involved in four broad activities, namely providing and managing offshore structures, delivering bank accounts to offshore entities, providing other financial products and correspondence banking⁴³ ;

84. Recognises that banks were involved in four broad activities, namely providing and managing offshore structures, delivering bank accounts to offshore entities, providing other financial products and correspondence banking⁴³ ;
Stresses the importance to make legislation on correspondence banking clearer and stricter regarding remittance

of funds to offshore and non-cooperative jurisdictions, with the obligation to cease activities if beneficial information is not provided;

⁴³ Obermayer & Obermaier, 2016.

⁴³ Obermayer & Obermaier, 2016.

Or. en

Amendment 399

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 84

Motion for a resolution

84. Recognises that banks were involved in four broad activities, namely providing and managing offshore structures, delivering bank accounts to offshore entities, providing other financial products and correspondence banking⁴³ ;

⁴³ Obermayer & Obermaier, 2016.

Amendment

84. Recognises that banks were involved in four broad activities, namely providing and managing offshore structures, delivering bank accounts to offshore entities, providing other financial products and correspondence banking⁴³; *but also that the financial services industry – be it banks, investment advisors or law firms – were found to offer their clients opportunities for tax evasion^{43a};*

⁴³ Obermayer & Obermaier, 2016.

^{43a} *PANA Committee written answer contributions by Norbert Naulin, PANA hearing, 14 November 2016*

Or. en

Amendment 400

Ana Gomes

Motion for a resolution

Paragraph 84 a (new)

84a. *Notes with great concern that often national and European regulators fail to scrutinise the origin of the wealth allowing Politically Exposed Persons from kleptocratic regimes and other criminals to invest and own shareholding positions in banks, financial and insurance institutions and major economic groups in the EU, thus actually facilitating the laundering of those assets in the EU financial system; stresses that this includes failure to ensure the consolidated supervision and scrutiny of the links between European banks, companies and economic groups and their holding or parent structures based in non-cooperative or low-enforcing AML jurisdictions;*

Or. en

Amendment 401

Marco Valli

Motion for a resolution

Paragraph 84 a (new)

84a. *Stresses that a recent report by Oxfam International, published in March 2017, found that 20 of Europe's biggest banks register approximately a quarter of their profits in tax havens, the estimated total amount in question being EUR 25 billion in 2015; notes that this analysis was carried out on the basis of disaggregated accounting data on the activities of banks in each country in which they operate inside and outside the EU, made publicly available following the entry into force of EU rules on country-by-country reporting for the banking sector;*

Amendment 402

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 85

Motion for a resolution

85. Stresses that banks are key actors in detecting suspicious transactions and reporting these to national FIUs;

Amendment

85. Stresses that banks are key actors in detecting suspicious transactions and reporting these to national FIUs; *Notes evidence presented to the Committee that certain banks had opened accounts for their clients before finalising CDD requirements and identifying the beneficial owners; Notes that several banks mentioned in the Panama papers have been fined by supervisors for not complying with AML/CFT standards but sanctions imposed remain lower than those enacted in the United States for similar breaches; Regrets that fines given to financial obliged entities by supervisors are tax-deductible;*

Amendment 403

Ana Gomes

Motion for a resolution
Paragraph 85

Motion for a resolution

85. Stresses that banks are key actors in detecting suspicious transactions and reporting these to national FIUs;

Amendment

85. Stresses that banks are key actors in detecting suspicious transactions and reporting these to national FIUs, *but also that certain banks do not facilitate investigations by national FIUs and Assets Recovery Units, for instance by*

failing to supply full information in digital support on suspected entities or transactions;

Or. en

Amendment 404

Marco Zanni, Mario Borghezio

Motion for a resolution

Paragraph 86

Motion for a resolution

Amendment

86. *Acknowledges that the involvement of banks in the setting up of offshore constructions has significantly decreased since 2007, when it was revealed that banks were promoting the evasion of the European Savings Directive (2005) on a large scale; notes that reputational and regulatory risks in the aftermath of the financial crisis have also added to the decline in the offshore entities intermediated by banks since 2008⁴⁴;* *deleted*

⁴⁴*Report on Investigation of Nordea Private Banking in Relation to Offshore Structures, 20 June 2016, and mission to the Belgian Parliamentary Inquiry Committee, 26 April 2017.*

Or. it

Amendment 405

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 86

86. *Acknowledges that the intermediation by banks in the setting up of offshore constructions has significantly decreased since 2007, when it was revealed that banks were promoting the evasion of the European Savings Directive (2005) on a large scale; notes that reputational and regulatory risks in the aftermath of the financial crisis have also added to the decline in the offshore entities intermediated by banks since 2008⁴⁴ ;*

deleted

⁴⁴ *Report on Investigation of Nordea Private Banking in Relation to Offshore Structures, 20 June 2016, and mission to the Belgian Parliamentary Inquiry Committee, 26 April 2017.*

Or. en

Amendment 406

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 86

86. Acknowledges that the intermediation by banks in the setting up of offshore constructions has significantly decreased since 2007, when it was revealed that banks were promoting the evasion of the European Savings Directive (2005) on a large scale; notes that reputational and regulatory risks in the aftermath of the financial crisis have also added to the decline in the offshore entities intermediated by banks *since 2008⁴⁴ ;*

86. Acknowledges that *for the Panama Papers, revelations* the intermediation by banks in the setting up of offshore constructions has significantly decreased since 2007, when it was revealed that banks were promoting the evasion of the European Savings Directive (2005) on a large scale; notes that reputational and regulatory risks in the aftermath of the financial crisis have also added to the decline in the offshore entities intermediated by banks *since 2008⁴⁴ ;*

Acknowledges however, that at the global level, statistical data show that there is no general decline in the funds channelling through tax havens at least until 2014^{1a} but more a reorganization of jurisdictions and instruments used; notes that in parallel to the progressive rise in withholding tax levied by Luxembourg, Austria and Belgium (until 2009) from 15% in 2005, 20% in 2008 to 35% in 2011, offshore money was increasingly allocated to letterbox companies in jurisdictions like Bahamas, Singapore and Hong Kong; Notes however, that the intermediation business has been taken over by other professions, namely lawyers, as demonstrated in the Panama papers;

^{1a} *According to data from the IMF, the Bank of International Settlements, the European Commission and Economist Gabriel Zucman*

⁴⁴ Report on Investigation of Nordea Private Banking in Relation to Offshore Structures, 20 June 2016, and mission to the Belgian Parliamentary Inquiry Committee, 26 April 2017.

⁴⁴ Report on Investigation of Nordea Private Banking in Relation to Offshore Structures, 20 June 2016, and mission to the Belgian Parliamentary Inquiry Committee, 26 April 2017.

Or. en

Amendment 407

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution Paragraph 87

Motion for a resolution

87. Observes that private banking subsidiaries of large banks in financial centres played a key role in delivering services across national borders to high net worth individuals;

Amendment

87. Observes that private banking subsidiaries of large banks in financial centres played a key role in delivering services across national borders to high net worth individuals; ***notes that the 20 biggest European banks register around***

one in every four euros of their profits in low-tax jurisdictions, an estimated total of €25bn in 2015 and; that the business conducted by banks in low-tax jurisdictions is disproportionate to the 1 percent of the world population and the 5 percent of the world's GDP that these jurisdictions account for^{1a};

^{1a} *Oxfam, 'Opening the vaults', 2017.*

Or. en

Amendment 408

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 88

Motion for a resolution

88. Highlights that private banking institutions did not always comply with their own internal guidelines or regulatory requirements (CDD), and that banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD) reporting was incomplete⁴⁵ ;

⁴⁵ PANA Committee hearing, 9 February 2017.

Amendment

88. Highlights that private banking institutions did not always comply with their own internal guidelines or regulatory requirements (CDD), and that banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD) reporting was incomplete⁴⁵ ; ***Notes with concern cases of financial institutions - including in European Member States - being owned or managed by PEPs or PEPs' acquaintances, influencing how they conduct their due diligence checks;***

⁴⁵ PANA Committee hearing, 9 February 2017.

Or. en

Amendment 409

Evelyn Regner, Peter Simon, Emmanuel Maurel, Sergio Gaetano Cofferati, Hugues Bayet, Ana Gomes

Motion for a resolution

Paragraph 88

Motion for a resolution

88. Highlights that private banking institutions did not always comply with their own internal guidelines or regulatory requirements (CDD), and that banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD) reporting was incomplete⁴⁵ ;

⁴⁵ PANA Committee hearing, 9 February 2017.

Amendment

88. Highlights that private banking institutions did not always comply with their own internal guidelines or regulatory requirements (CDD), and that banks sometimes failed to classify customers in the appropriate high-risk category ***and sometimes even didn't know their customers instead of following the basic rules of "know your customer" policies*** and the subsequent enhanced due diligence (EDD) reporting was incomplete⁴⁵ ;

⁴⁵ PANA Committee hearing, 9 February 2017.

Or. en

Amendment 410

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 88

Motion for a resolution

88. Highlights that private banking institutions did not always comply with their own internal guidelines or regulatory requirements (CDD), ***and that*** banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD) reporting was incomplete⁴⁵ ;

Amendment

88. Highlights that private banking institutions did not always comply with their own internal guidelines or regulatory requirements (CDD), ***that they were on occasions found to block any investigative efforts; and thus*** banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD) reporting was incomplete⁴⁵ ;

⁴⁵ PANA Committee hearing, 9 February 2017.

⁴⁵ PANA Committee hearing, 9 February 2017.

Or. en

Amendment 411
Ana Gomes

Motion for a resolution
Paragraph 88

Motion for a resolution

88. Highlights that private banking institutions *did* not always comply with their own internal guidelines or regulatory requirements (CDD), and that banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD) reporting was incomplete⁴⁵ ;

⁴⁵ PANA Committee hearing, 9 February 2017.

Amendment

88. Highlights that private banking institutions *do* not always comply with their own internal guidelines or regulatory requirements (CDD), and that banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD) reporting was incomplete⁴⁵ ;

⁴⁵ PANA Committee hearing, 9 February 2017.

Or. en

Amendment 412
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 88

Motion for a resolution

88. Highlights that *private* banking institutions did not always comply with their own internal guidelines or regulatory requirements (CDD), and that banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD)

Amendment

88. Highlights that banking institutions did not always comply with their own internal guidelines or regulatory requirements (CDD), and that banks sometimes failed to classify customers in the appropriate high-risk category, and the subsequent enhanced due diligence (EDD)

reporting was incomplete⁴⁵ ;

reporting was incomplete⁴⁵ ;

⁴⁵PANA Committee hearing, 9 February 2017.

⁴⁵PANA Committee hearing, 9 February 2017.

Or. de

Amendment 413

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution Paragraph 89 a (new)

Motion for a resolution

Amendment

89a. Notes that cases revealed a conflict of interest between enablers and promoters' commercial interests and the compliance requirements as money launderers are customers of the private sector: of banks, of real estate agents, of financial service providers, of lawyers and notaries; and reporting them to the FIU implies a necessary loss of business to the one who reports^{1a};

^{1a} Brigitte Unger, 'Offshore activities and money laundering: recent findings and challenges', March 2017.

Or. en

Amendment 414

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 89 a (new)

Motion for a resolution

Amendment

89a. Notes that some answers provided by intermediaries to the Committee seem to be in contradiction with information retrieved from the Panama Papers ^{1a} ; condemns any possible false statements made to the Committee;

^{1a} For example, Société Générale said to the committee that they were not the beneficial owners of two foundations Rousseau and Valvert they requested Mossack Fonseca to create but this was contradicted by Panama Papers documents published by journalists from the ICIJ consortium; similarly Maltese intermediary Nexia BT answered to written questions from our committee stating that one of their founders had no relations with Mr Keith Schembri, chief of staff of Maltese Prime Minister while he signed a reference letter to Mossack Fonseca explaining he has a business and personal relationship with Mr Schembri for many years;

Or. en

Amendment 415

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 90

Motion for a resolution

90. Notes that supervisory action carried out by competent authorities after the Panama Papers varied from a full cross-check of all supervised banks, to random checks, to no action at all;

Amendment

90. Notes that supervisory action carried out by competent authorities **in Member States** after the Panama Papers varied from a full cross-check of all supervised banks, to random checks, to no action at all;

Or. en

Amendment 416

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 91

Motion for a resolution

91. Points out that in some Member States, competent authority powers are limited to supervising the existence of anti-money laundering controls;

Amendment

91. Points out that in some Member States, competent authority powers are limited to supervising the existence of anti-money laundering controls; *Notes that divergence in powers granted to financial supervisors in different Member States hinders full implementation of AML/CFT standards and good cooperation; notes that the ECB, the biggest prudential supervisor within the EU, is not competent under the SSM for AML/CFT supervision which is preventing competent authorities from exchanging confidential information with the ECB;*

Or. en

Amendment 417

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution Paragraph 93 a (new)

Motion for a resolution

Amendment

93a. Notes that in December 2016 the EBA sent out a questionnaire to members of its Board of Supervisors to consolidate its understanding of supervisory action in the aftermath of the Panama Papers; notes that the results of this exercise are yet to be made public;

Amendment 418

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 95

Motion for a resolution

95. Observes that Member State authorities failed to effectively supervise financial institutions even before the Panama Papers revelations, and that they did not adequately sanction the financial institutions subject to CRD IV that were found liable for serious breach of the national provisions adopted pursuant to AMLD III;

Amendment

95. Observes that Member State authorities failed to effectively supervise financial institutions even before the Panama Papers revelations, and that they did not adequately sanction the financial institutions subject to CRD IV that were found liable for serious breach of the national provisions adopted pursuant to AMLD III; *Notes that the Azerbaijan Laundromat revelations demonstrates the failure of some financial supervisors to ensure financial institutions respect their AMLD obligations, even after the adoption of new FATF recommendations in 2012;*

Amendment 419

Pervenche Berès, Emmanuel Maurel, Elly Schlein, Sergio Gaetano Cofferati, Tibor Szanyi, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon

Motion for a resolution
Paragraph 95 a (new)

Motion for a resolution

Amendment

95a. Highlights that the top 20 EU banks are registering more profits in special tax jurisdictions than can be justified by the level of real economic activity taking place in these latter, most of the time without employing a single

person in the countries concerned and while paying low or no taxes in those jurisdictions^{46a}; believes that the EU competent authorities cannot ensure an efficient supervision of these practices by EU banks in third countries and that it might pose a risks for the financial stability of the Banking Union;

^{46a} Oxfam, “Opening the vault: The use of tax havens by Europe’s biggest banks”, March 2017.
<https://www.oxfam.org/en/research/opening-vaults>

Or. en

Amendment 420

Marco Valli

Motion for a resolution

Paragraph 96

Motion for a resolution

96. Notes that over 20 competent EU bank supervisory authorities took supervisory action ***directly*** as a result of the publication of the Panama Papers⁴⁷;

Amendment

96. Notes that over 20 competent EU bank supervisory authorities took supervisory action ***only*** as a ***direct*** result of the publication of the Panama Papers⁴⁷; ***in this respect, emphasises that the key role played by private banks in facilitating and supporting tax avoidance and money laundering schemes was well known and manifest for decades, particularly to the authorities, and that the latter had at their disposal various tools by means of which to intervene and limit the scale of the phenomenon; stresses that this delay very much called into question the independence and effectiveness of supervision, undermining the credibility and reputation of the authorities; deplores the fact that this inaction and complacency towards banks was responsible for the continued development***

and consolidation on a global scale of tax avoidance, tax evasion and money laundering through the banking system;

⁴⁷PANA Committee written answer contributions by EBA, PANA hearing, 13 October 2016.

⁴⁷PANA Committee written answer contributions by EBA, PANA hearing, 13 October 2016.

Or. it

Amendment 421

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 96

Motion for a resolution

96. Notes that over 20 competent EU bank supervisory authorities took supervisory action directly as a result of the publication of the Panama Papers⁴⁷ ;

⁴⁷ PANA Committee written answer contributions by EBA, PANA hearing, 13 October 2016.

Amendment

96. Notes that over 20 competent EU bank supervisory authorities took supervisory action directly as a result of the publication of the Panama Papers⁴⁷ ; ***Regrets however that the European Banking Authority only has limited powers and resources to ensure proper implementation of enforcement of its standards and cannot start an investigation without obtaining information from a third party, with no grounds to take the initiative with such investigations beyond peer-reviewing the rules; Notes that while EBA standards on internal governance and AML/CFT exist, they require updating to provide more targeted provisions, including on doing business with jurisdictions with low level of AML/CFT compliance;***

⁴⁷ PANA Committee written answer contributions by EBA, PANA hearing, 13 October 2016.

Amendment 422
Angel Dzhambazki

Motion for a resolution
Paragraph 97

Motion for a resolution

Amendment

97. Points to the difficulties of regulating lawyers and law firms involved in setting up and maintaining offshore structures, as they often operate cross-border and in some cases are not subject to specific legislative requirements;

deleted

Amendment 423
Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 97

Motion for a resolution

Amendment

97. Points to the difficulties of regulating lawyers and law firms involved in setting up and maintaining offshore structures, as they often operate cross-border and in some cases are not subject to specific legislative requirements;

97. Points to the difficulties of regulating lawyers and law firms involved in setting up and maintaining offshore structures, as they often operate cross-border and in some cases are not subject to specific legislative requirements **or customer due diligence checks;**^{1a}

^{1a} **As in Switzerland, when lawyers act as nominee directors, they are not obliged to carry CDD according to Swiss law.**

Amendment 424
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 97

Motion for a resolution

97. Points to the difficulties of regulating lawyers and law firms involved in setting up and maintaining offshore structures, as they often operate cross-border and in some cases ***are not subject to specific*** legislative requirements;

Amendment

97. Points to the difficulties of regulating lawyers and law firms involved in setting up and maintaining offshore structures, as they often operate cross-border and in some ***countries the*** legislative requirements ***are not subject to scrutiny.***

Or. de

Amendment 425
Angel Dzhambazki, Bernd Lucke

Motion for a resolution
Paragraph 99

Motion for a resolution

99. ***Notes that the number of STRs by lawyers, as well as other predominantly self-regulated professions, is low⁴⁸, and notes also that reporting by lawyers is often triggered by revelations in the media;***

Amendment

deleted

⁴⁸ See, for example, FATF Mutual Evaluation Reports or 'Fighting tax crimes – cooperation between Financial Intelligence Units', Dr Amandine Scherrer and Dr Anthony Amicelle, European Parliamentary Research Service (EPRS), March 2017.

Or. en

Amendment 426
Neena Gill

Motion for a resolution
Paragraph 99

Motion for a resolution

99. *Notes* that the number of STRs by lawyers, *as well as other predominantly self-regulated professions*, is low⁴⁸, *and notes also that reporting by lawyers is often triggered by revelations in the media*;

⁴⁸ See, for example, FATF Mutual Evaluation Reports or 'Fighting tax crimes – cooperation between Financial Intelligence Units', Dr Amandine Scherrer and Dr Anthony Amicelle, European Parliamentary Research Service (EPRS), March 2017.

Amendment

99. *Recognises* that the number of STRs by lawyers is low, *in particular when compared to those from the banking sector*.

Or. en

Amendment 427
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 99

Motion for a resolution

99. *Notes* that the number of STRs by lawyers, *as well as other predominantly self-regulated professions*, is low⁴⁸, *and notes also that reporting by lawyers is often triggered by revelations in the media*;

⁴⁸ See, for example, FATF Mutual Evaluation Reports or 'Fighting tax crimes – cooperation between Financial Intelligence Units', Dr Amandine Scherrer and Dr Anthony Amicelle, European Parliamentary Research Service (EPRS),

Amendment

99. *Notes* that the number of STRs by lawyers is low⁴⁸, *and notes also that reporting by lawyers is often triggered by revelations in the media*;

⁴⁸ See, for example, FATF Mutual Evaluation Reports or 'Fighting tax crimes – cooperation between Financial Intelligence Units', Dr Amandine Scherrer and Dr Anthony Amicelle, European Parliamentary Research Service (EPRS),

March 2017.

March 2017.

Or. de

Amendment 428
Angel Dzhambazki

Motion for a resolution
Paragraph 100

Motion for a resolution

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations, ***which do not actively supervise their members, but rather act on the basis of complaints by clients; regrets that statistics on sanctions or disciplinary measures implemented by national bar associations are not publicly available in all EU countries;***

Amendment

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations;

Or. en

Amendment 429
Sajjad Karim

Motion for a resolution
Paragraph 100

Motion for a resolution

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations, ***which do not actively supervise their members, but rather act on the basis of complaints by clients; regrets that statistics on sanctions or disciplinary measures implemented by national bar associations are not publicly available in all EU countries;***

Amendment

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations;

Amendment 430
Beatrix von Storch

Motion for a resolution
Paragraph 100

Motion for a resolution

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations, which do not actively supervise their members, but rather act on the basis of complaints by clients; ***regrets that statistics on sanctions or disciplinary measures implemented by national bar associations are not publicly available in all EU countries;***

Amendment

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations, which do not actively supervise their members, but rather act on the basis of complaints by clients;

Amendment 431
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 100

Motion for a resolution

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations, ***which do not actively supervise their members, but rather*** act on the basis of complaints by clients; regrets that statistics on sanctions or disciplinary measures implemented by national bar associations are not publicly available in all EU countries;

Amendment

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations act ***chiefly*** on the basis of complaints by clients; regrets that statistics on sanctions or disciplinary measures implemented by national bar associations are not publicly available in all EU countries;

Amendment 432

Evelyn Regner, Peter Simon, Emmanuel Maurel, Hugues Bayet

Motion for a resolution

Paragraph 100

Motion for a resolution

100. Acknowledges that in most Member States the supervision of lawyers is carried out by professional bar associations, which do not actively supervise their members, but rather act on the basis of complaints by clients; regrets that statistics on sanctions or disciplinary measures implemented by national bar associations are not publicly available in all EU countries;

Amendment

100. Acknowledges that in most Member States the supervision of lawyers is carried out by **bars and** professional bar associations, which do not actively supervise their members, but rather act on the basis of complaints by clients; regrets that statistics on sanctions or disciplinary measures implemented by national bar associations are not publicly available in all EU countries;

Or. en

Amendment 433

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 101

Motion for a resolution

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations; notes also, however, that these strict disciplinary procedures rarely lead to being struck off the bar⁴⁹ ;

Amendment

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations; notes also, however, that these strict disciplinary procedures rarely lead to being struck off the bar⁴⁹ ; ***Deplores that the sanctions against lawyers who act against the letter or the spirit of laws to prevent tax evasion and money laundering are weak and do not include significant threat to livelihood;***

⁴⁹ Rules on independence and responsibility regarding auditing, tax advice, accountancy, account certification services and legal services, Ian Roxan and Saipriya Kamath (London School of Economics) and Willem Pieter De Groen (Centre for European Policy Studies), April 2017.

⁴⁹ Rules on independence and responsibility regarding auditing, tax advice, accountancy, account certification services and legal services, Ian Roxan and Saipriya Kamath (London School of Economics) and Willem Pieter De Groen (Centre for European Policy Studies), April 2017.

Or. en

Amendment 434
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 101

Motion for a resolution

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations; *notes also, however, that these strict disciplinary procedures rarely lead to being struck off the bar⁴⁹*;

⁴⁹Rules on independence and responsibility regarding auditing, tax advice, accountancy, account certification services and legal services, Ian Roxan and Saipriya Kamath (London School of Economics) and Willem Pieter De Groen (Centre for European Policy Studies), April 2017.

Amendment

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations;

Or. de

Amendment 435
Angel Dzhambazki

Motion for a resolution
Paragraph 101

Motion for a resolution

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations; *notes also, however, that these strict disciplinary procedures rarely lead to being struck off the bar⁴⁹ ;*

⁴⁹ Rules on independence and responsibility regarding auditing, tax advice, accountancy, account certification services and legal services, Ian Roxan and Saipriya Kamath (London School of Economics) and Willem Pieter De Groen (Centre for European Policy Studies), April 2017.

Amendment

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations;

Or. en

Amendment 436
Sajjad Karim

Motion for a resolution
Paragraph 101

Motion for a resolution

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations; *notes also, however, that these strict disciplinary procedures rarely lead to being struck off the bar⁴⁹ ;*

⁴⁹ Rules on independence and responsibility regarding auditing, tax advice, accountancy, account certification services and legal services, Ian Roxan and Saipriya Kamath (London School of Economics) and Willem Pieter De Groen (Centre for European Policy Studies),

Amendment

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations;

April 2017.

Or. en

Amendment 437

Neena Gill

Motion for a resolution

Paragraph 101

Motion for a resolution

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations; *notes also, however, that these strict disciplinary procedures rarely lead to being struck off the bar⁴⁹ ;*

⁴⁹ *Rules on independence and responsibility regarding auditing, tax advice, accountancy, account certification services and legal services, Ian Roxan and Saipriya Kamath (London School of Economics) and Willem Pieter De Groen (Centre for European Policy Studies), April 2017.*

Amendment

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations, *breach of which leads mostly to appropriate disciplinary sanctions.*

Or. en

Amendment 438

Beatrix von Storch

Motion for a resolution

Paragraph 101

Motion for a resolution

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations;

Amendment

101. Notes that members of the legal profession are subject to strict sanctions (civil and sometimes criminal) for any failure to adhere to AMLD obligations;

notes also, *however*, that these strict disciplinary procedures rarely lead to being struck off the bar⁴⁹ ;

⁴⁹ Rules on independence and responsibility regarding auditing, tax advice, accountancy, account certification services and legal services, Ian Roxan and Saipriya Kamath (London School of Economics) and Willem Pieter De Groen (Centre for European Policy Studies), April 2017.

notes also that these strict disciplinary procedures rarely lead to being struck off the bar⁴⁹ ;

⁴⁹ Rules on independence and responsibility regarding auditing, tax advice, accountancy, account certification services and legal services, Ian Roxan and Saipriya Kamath (London School of Economics) and Willem Pieter De Groen (Centre for European Policy Studies), April 2017.

Or. en

Amendment 439
Sajjad Karim

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Notes that the scope of the statutory provisions on the client-attorney privilege of certain designated professional practitioners such as lawyers and notaries to refuse to testify or give evidence in tax matters is not clear and consistent in all Member States, let alone across Member States;

Amendment

deleted

Or. en

Amendment 440
Angel Dzhambazki

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Notes that the scope of the

Amendment

deleted

statutory provisions on the client-attorney privilege of certain designated professional practitioners such as lawyers and notaries to refuse to testify or give evidence in tax matters is not clear and consistent in all Member States, let alone across Member States;

Or. en

Amendment 441
Beatrix von Storch

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Notes *that* the scope of the statutory provisions on the client-attorney privilege of certain designated professional practitioners such as lawyers and notaries to refuse to testify or give evidence in tax matters *is not clear and consistent in all Member States, let alone across* Member States;

Amendment

102. Notes the *varying* scope of the statutory provisions on the client-attorney privilege of certain designated professional practitioners such as lawyers and notaries to refuse to testify or give evidence in tax matters *among* Member States;

Or. en

Amendment 442
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Notes that the scope of the statutory provisions on the client-attorney privilege of certain designated professional practitioners such as lawyers and notaries to refuse to testify or give evidence in tax matters is not clear and consistent in all Member States, *let alone across Member*

Amendment

102. Notes that the scope of the statutory provisions on the client-attorney privilege of certain designated professional practitioners such as lawyers and notaries to refuse to testify or give evidence in tax matters is not clear and consistent in all Member States;

States;

Or. de

Amendment 443

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 103

Motion for a resolution

Amendment

103. Highlights especially that in many Member States, lawyers cannot be sanctioned for advising non-residents on how to evade tax or launder money in another jurisdiction as per the territoriality principle; *deleted*

Or. de

Amendment 444

Angel Dzhambazki

Motion for a resolution

Paragraph 103

Motion for a resolution

Amendment

103. Highlights especially that in many Member States, lawyers cannot be sanctioned for advising non-residents on how to evade tax or launder money in another jurisdiction as per the territoriality principle; *deleted*

Or. en

Amendment 445

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 103 a (new)

Motion for a resolution

Amendment

103a. *Notes that legal advisors have excluded themselves from legal obligations by invoking 'professional secrecy' in order to avoid performing CDD, even when they have not been acting as lawyers but as providers of financial services^{1a};*

^{1a} PANA Exchange of views with National Parliaments and Mark Pieth, 31 January 2017.

Or. en

Amendment 446

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 103 b (new)

Motion for a resolution

Amendment

103b. *Notes that the number of SARs /STRs by legal professionals has been low^{1a};*

^{1a} See, for example, FATF Mutual Evaluation Reports or 'Fighting tax crimes – cooperation between Financial Intelligence Units', Dr Amandine Scherrer and Dr Anthony Amicelle, European Parliamentary Research Service (EPRS), March 2017.

Or. en

Amendment 447

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

**Motion for a resolution
Paragraph 104 a (new)**

Motion for a resolution

Amendment

104a. Points to the problematic and questionable juxtaposition, within the same firms, of tax advice, auditing and consulting activities intended on the one hand to service tax administrations, e.g. for designing tax systems or improving tax collection, and, on the other hand, to provide tax planning services for multinational corporations; which may be exploiting the weaknesses of national tax laws;

Or. en

Amendment 448

Fabio De Masi, Miguel Urbán Crespo, Miguel Viegas, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

**Motion for a resolution
Paragraph 106**

Motion for a resolution

Amendment

106. Notes that the role of accounting firms in the schemes revealed in the Panama Papers consisted primarily of advice and maintenance of offshore constructions and that auditors were not actively involved since the offshore entities often do not have an audit requirement;

deleted

Or. en

Amendment 449

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 106

Motion for a resolution

106. Notes that the role of accounting firms in the schemes revealed in the Panama Papers consisted primarily of advice and maintenance of offshore constructions and that auditors were not actively involved since the offshore entities often do not have an audit requirement;

Amendment

106. Notes that the role of accounting firms in the schemes revealed in the Panama Papers consisted primarily of advice and maintenance of offshore constructions and that auditors were not actively involved since the offshore entities often do not have an audit requirement;
Notes however that the Big 4 accounting firms, dominating the market, have played a role in other tax scandals such as Luxleaks and that their activities of both fiscal advise and auditing presents the possibility of serious conflicts of interest;

Or. en

Amendment 450

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 107

Motion for a resolution

107. Notes that accountancy firms often issue internal guidelines on the practices they consider acceptable;

Amendment

107. Notes that accountancy firms often issue internal guidelines on the practices they consider acceptable; ***but that this self-regulation is not sufficient to effectively tackling the tax evasion and tax avoidance they promote and enable;***

Or. en

Amendment 451

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 107 a (new)

Motion for a resolution

Amendment

107a. *Notes that auditors and tax advisors have acted as globally integrated firms though presenting themselves as numerous separate legal entities that are not under common ownership but which are bound by contractual arrangements to operate common standards under a common name in order to dilute responsibility, reduce their regulatory cost and risk, ring-fence their legal risk, and protect their clients from regulatory enquiries;^{1a}*

^{1a} **Richard Murphy and Saila Naomi Stausholm, ‘The Big 4, a study on opacity’, July 2017.**

Or. en

Amendment 452

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 108

Motion for a resolution

Amendment

108. **Notes** that the number of STRs by accountants is low⁵⁰ ;

108. **Deplores** that the number of STRs **to FIUs** by accountants is low **and does not reflect the sector’s exposure to money laundering risks**⁵⁰ ;

⁵⁰ See, for example, FATF Mutual Evaluation Reports or ‘Fighting tax crimes – cooperation between Financial

⁵⁰ See, for example, FATF Mutual Evaluation Reports or ‘Fighting tax crimes – cooperation between Financial

Intelligence Units', Dr Amandine Scherrer and Dr Anthony Amicelle, European Parliamentary Research Service (EPRS), March 2017.

Intelligence Units', Dr Amandine Scherrer and Dr Anthony Amicelle, European Parliamentary Research Service (EPRS), March 2017.

Or. en

Amendment 453
Ana Gomes

Motion for a resolution
Paragraph 108 a (new)

Motion for a resolution

Amendment

108a. Is concerned by the promiscuity and conflicts of interest affecting auditors and consultants, lawyers and law firms who often serve as government advisers to draft tax legislation, conceive AML tools and even investigate and audit for regulators, while also serving or having served the regulated entities;

Or. en

Amendment 454
Evelyn Regner, Peter Simon, Emmanuel Maurel, Elly Schlein, Sergio Gaetano Cofferati, Tibor Szanyi, Hugues Bayet, Ana Gomes, Pervenche Berès

Motion for a resolution
Paragraph 108 a (new)

Motion for a resolution

Amendment

108a. Stresses that accounting firms have not only played a key role in designing aggressive tax planning schemes for their clients, but also have assisted national governments in designing their tax codes and laws, creating a significant conflict of interest;

Or. en

Amendment 455

Evelyn Regner, Peter Simon, Marju Lauristin, Hugues Bayet, Emmanuel Maurel

Motion for a resolution

Paragraph 108 b (new)

Motion for a resolution

Amendment

108b. Notes that one problem in controlling multinational accounting firms is their organisational structure, which means that in general each national firm is an independent legal entity, the result being that it's not possible to act against the whole corporation once one entity breaks the law;

Or. en

Amendment 456

Angel Dzhambazki, Bernd Lucke

Motion for a resolution

Subheading 18

Motion for a resolution

Amendment

Trusts and fiduciaries

Trusts, ***other similar legal arrangements***
and fiduciaries

Or. en

Amendment 457

Sajjad Karim

Motion for a resolution

Subheading 18

Motion for a resolution

Amendment

Trusts and fiduciaries

Trusts, ***other similar legal***

arrangements and fiduciaries

Or. en

Amendment 458
Petras Auštrevičius

Motion for a resolution
Subheading 18 a (new)

Motion for a resolution

Amendment

Notes that the money laundering networks have been greatly facilitated by a web of company registration agents used to conceal persons responsible for money laundering.

Or. en

Amendment 459
Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution
Paragraph 109

Motion for a resolution

Amendment

109. Recalls that trust and fiduciary companies play an important role in the creation and maintenance of offshore entities;

109. Recalls that trust and fiduciary companies *and similar legal structures* play an important role in the creation and maintenance of offshore entities; *notes in this respect that the investigations of Europol into the Panama Papers, which led to 3,469 probable matches with its database of suspected criminals, also revealed the prevalent use of trust structures to obscure assets and identities;*

Or. en

Amendment 460
Alfred Sant

Motion for a resolution
Paragraph 109

Motion for a resolution

109. Recalls that trust and fiduciary companies play an important role in the creation and maintenance of offshore entities;

Amendment

109. Recalls that trust and fiduciary companies play an important role in the creation and maintenance of offshore entities; ***yet recalls that family trusts should be considered separately as specifically designed to protect assets and members of the family beyond a lifetime and as able to safeguard inheritances surpassing monetary value;***

Or. en

Amendment 461
Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 109

Motion for a resolution

109. Recalls that trust and fiduciary companies play an important role in the creation and maintenance of offshore entities;

Amendment

109. Recalls that trust and fiduciary companies play an important role in the creation and maintenance of offshore entities; ***considers that the legal form of the trust was established in Anglo-Saxon legal systems precisely to facilitate the concealment of wealth and the avoidance of tax;***

Or. en

Amendment 462
Angel Dzhambazki, Bernd Lucke

Motion for a resolution
Paragraph 109

Motion for a resolution

109. Recalls that ***trust*** and fiduciary companies play an important role in the creation and maintenance of offshore entities;

Amendment

109. Recalls that ***commercial trusts, other similar legal arrangements*** and fiduciary companies play an important role in the creation and maintenance of offshore entities;

Or. en

Amendment 463
Sajjad Karim

Motion for a resolution
Paragraph 109

Motion for a resolution

109. Recalls that ***trust*** and fiduciary companies play ***an important*** role in the creation and maintenance of offshore entities;

Amendment

109. Recalls that ***commercial trusts, other similar legal arrangements*** and fiduciary companies play ***a*** role in the creation and maintenance of offshore entities;

Or. en

Amendment 464
Ramón Jáuregui Atondo, Juan Fernando López Aguilar

Motion for a resolution
Paragraph 109 a (new)

Motion for a resolution

Amendment

109a. A trust is a collection of assets created by means of a private contract signed by three parties (the settlor, the trustee and the beneficiary) and does not have, as such, corporate personality

Or. en

Amendment 465

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 110

Motion for a resolution

110. Regrets that trust and fiduciary companies are hard to target for policymakers in onshore jurisdictions because **of the companies' limited physical presence and the limited information available to legislators or authorities;**

Amendment

110. Regrets that trust and fiduciary companies are hard to target for policymakers in onshore jurisdictions because *while trusts may hold assets and engage in business just like companies, they hardly ever need to register, allowing the true owners, beneficiaries or controllers of trust assets to remain hidden, especially from public scrutiny; and when trusts do have to register, their complex control structures often confuse authorities about who really controls or benefits from the assets^{1a}; thus welcomes the improvements that the Parliament's proposal's to the revision of the 4th AMLD, which it voted on 28 February 2017, would bring in this respect;*

^{1a} Andres Knobel, 'Trusts: Weapons of Mass Injustice?', 13 February 2017.

Or. en

Amendment 466

Beatrix von Storch

Motion for a resolution

Paragraph 110

Motion for a resolution

110. ***Regrets*** that trust and fiduciary companies are hard to target for policymakers in onshore jurisdictions because of the companies' limited physical

Amendment

110. ***Notes*** that trust and fiduciary companies are hard to target for policymakers in onshore jurisdictions because of the companies' limited physical

presence and the limited information available to legislators or authorities;

presence and the limited information available to legislators or authorities;

Or. en

Amendment 467

Angel Dzhambazki, Bernd Lucke

Motion for a resolution

Paragraph 110

Motion for a resolution

110. ***Regrets that trust and fiduciary companies are hard to target for policymakers in onshore jurisdictions because of the companies' limited physical presence and *the* limited information available to legislators or authorities;***

Amendment

110. ***Underlines that commercial trusts, other similar legal arrangements and fiduciary companies may have a limited physical presence and *therefore* limited information *may be* available to legislators or authorities;***

Or. en

Amendment 468

Sajjad Karim

Motion for a resolution

Paragraph 110

Motion for a resolution

110. ***Regrets that trust and fiduciary companies are hard to target for policymakers in onshore jurisdictions because of the companies' limited physical presence and *the* limited information available to legislators or authorities;***

Amendment

110. ***Underlines that commercial trusts, other similar legal arrangements and fiduciary companies may have a limited physical presence and *therefore* limited information *may be* available to legislators or authorities;***

Or. en

Amendment 469

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 110 a (new)

Motion for a resolution

Amendment

110a. Regrets that trusts go beyond secrecy by shielding assets from the rest of society, by placing assets into ‘ownerless limbo’, unreachable even by legitimate personal creditors of the parties to the trust, or tax authorities or crime-fighting agencies, and thus subject to a stronger asset protection than that provided by limited liability available to shareholders of incorporated companies^{1a};

^{1a} Andres Knobel, 'Trusts: Weapons of Mass Injustice?', 13 February 2017.

Or. en

Amendment 470
Angel Dzhambazki, Bernd Lucke

Motion for a resolution
Paragraph 111

Motion for a resolution

Amendment

111. Notes that trust companies act on behalf of the UBOs, but that their direct clients in ***most*** cases are other intermediaries such as other trust companies, law and accounting firms and banks;

111. Notes that trust companies ***and other similar legal arrangements*** act on behalf of the UBOs, but that their direct clients in ***some*** cases are other intermediaries such as other trust companies, law and accounting firms and banks;

Or. en

Amendment 471

Sajjad Karim

Motion for a resolution
Paragraph 111

Motion for a resolution

111. Notes that trust companies act on behalf of the UBOs, but that their direct clients in **most** cases are other intermediaries such as other trust companies, law and accounting firms and banks;

Amendment

111. Notes that trust companies **and other similar legal arrangements** act on behalf of the UBOs, but that their direct clients in **some** cases are other intermediaries such as other trust companies, law and accounting firms and banks;

Or. en

Amendment 472

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 111

Motion for a resolution

111. Notes that trust companies act on behalf of the UBOs, but that their direct clients in most cases are other **intermediaries** such as other trust companies, law and accounting firms and banks;

Amendment

111. Notes that trust companies act on behalf of the UBOs, but that their direct clients in most cases are other **enablers and promoters** such as other trust companies, law and accounting firms and banks;

Or. en

Amendment 473
Sajjad Karim

Motion for a resolution
Paragraph 112

Motion for a resolution

112. Notes that trusts can be stand-alone companies or owned by other types of

Amendment

112. Notes that **commercial** trusts **and other similar legal arrangements** can be

service companies such as law firms or banks;

stand-alone companies or owned by other types of service companies such as law firms or banks;

Or. en

Amendment 474

Angel Dzhambazki, Bernd Lucke

Motion for a resolution

Paragraph 112

Motion for a resolution

112. Notes that trusts can be stand-alone companies or owned by other types of service companies such as law firms or banks;

Amendment

112. Notes that ***commercial*** trusts ***and other similar legal arrangements*** can be stand-alone companies or owned by other types of service companies such as law firms or banks;

Or. en

Amendment 475

Monica Macovei, Pirkko Ruohonen-Lerner, Maite Pagazaurtundúa Ruiz, Fabio De Masi

Motion for a resolution

Paragraph 112 a (new)

Motion for a resolution

Amendment

112a. Stresses that the right to public access to beneficial ownership information of any kind of trusts should be established in order to avoid any loophole in the anti-money laundering legislation

Or. en

Amendment 476

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

**Motion for a resolution
Paragraph 112 a (new)**

Motion for a resolution

Amendment

112a. Notes that trust can also be part of the complex tax evasion and tax avoidance schemes of international economic groups, and are often part of multinational schemes^{1a};

^{1a} PANA Committee written answer contributions by Brooke Harrington, PANA hearing, 24 January 2017.

Or. en

**Amendment 477
Beatrix von Storch**

**Motion for a resolution
Paragraph 113**

Motion for a resolution

Amendment

113. Stresses that trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts;

deleted

Or. en

**Amendment 478
Ramón Jáuregui Atondo, Juan Fernando López Aguilar**

**Motion for a resolution
Paragraph 113**

Motion for a resolution

113. Stresses that trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts;

Amendment

113. Stresses that trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts; ***furthermore, certain jurisdictions do not establish a trust register, with information about settlors, beneficiaries, trustees and other intermediaries. This makes it very difficult for tax authorities to obtain information on assets located in trusts;***

Or. en

Amendment 479

Ramón Jáuregui Atondo, Juan Fernando López Aguilar, Emmanuel Maurel, Evelyn Regner, Ana Gomes, Marju Lauristin

**Motion for a resolution
Paragraph 113**

Motion for a resolution

113. Stresses that trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts;

Amendment

113. Stresses that trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts; ***furthermore, certain jurisdictions do not establish a trust register, with information about settlors, beneficiaries, trustees and other intermediaries. This makes it very difficult for tax authorities to obtain information on assets located in trusts;***

Or. en

Amendment 480

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 113

Motion for a resolution

113. Stresses that trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts;

Amendment

113. Stresses *the imminent risk* that trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts;

Or. en

Amendment 481
Lud k Niedermayer, Dariusz Rosati

Motion for a resolution
Paragraph 113

Motion for a resolution

113. Stresses that trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts;

Amendment

113. Stresses that *certain forms of* trusts could become an even bigger instrument for misuse in the future as they are not legal entities and therefore, unlike companies, not subject to any form of accounting or legal disclosure requirements, for example of their annual accounts;

Or. en

Amendment 482
Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo

Motion for a resolution

Paragraph 113 a (new)

Motion for a resolution

Amendment

113a. *Notes that family trusts involved in wealth concentration seem to offer no social benefits (they directly worsen equality, fair taxation), and should obtain no asset protection whatsoever, other than that of normal private property; moreover, although they do contain useful functions managing and (legally) allocating assets within families, these can be achieved through other mechanisms, such as clear, well-drafted wills or appointing a financial or asset manager; otherwise, once the asset protection function is added (where a person may invoke a trust to “prove” lack of ownership and control over assets), the real harms become apparent: cheating on taxes (whether legally or not), hiding assets, defrauding creditors, and other abuses^{1a};*

^{1a} *Andres Knobel, 'Trusts: Weapons of Mass Injustice?', 13 February 2017.*

Or. en

Amendment 483

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution

Paragraph 113 b (new)

Motion for a resolution

Amendment

113b. *Is of the opinion that full public access to beneficial ownership registers of trusts and similar legal structures is an important step towards preventing the misuse of such structures for money laundering, tax avoidance and tax*

evasion;

Or. en

Amendment 484

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 114

Motion for a resolution

114. Recalls that the collection of UBO information for legal entities does not currently constitute an obligation according to legislation in some third countries⁵¹ ;

⁵¹ PANA mission report to USA – 21 to 24 March 2017.

Amendment

114. Recalls that the *centralized* collection of UBO information for legal entities does not currently constitute an obligation according to legislation in some third countries, *like in the United States from example*⁵¹ ; *Notes evidence that certain countries, including Panama, are not always cooperating with European countries especially to provide relevant information concerning tax-related matters, which may hamper the fight against money laundering related to tax crimes; stresses that some non-European jurisdictions share information on UBO with European FIUs for intelligence purposes only, but do not respond to international requests for cooperation, thus preventing the use of the information before courts;*

⁵¹ PANA mission report to USA – 21 to 24 March 2017.

Or. en

Amendment 485

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 114

Motion for a resolution

114. Recalls that the collection of UBO information for legal entities does not currently constitute an obligation according to legislation in some third countries⁵¹;

⁵¹ PANA mission report to USA – 21 to 24 March 2017.

Amendment

114. Recalls that the collection ***or reporting***⁵¹ of UBO information for legal entities does not currently constitute an obligation according to legislation in some third countries ***or in the USA***;

⁵¹ PANA mission report to USA – 21 to 24 March 2017.

Or. de

Amendment 486

Angel Dzhambazki, Bernd Lucke

Motion for a resolution

Paragraph 115

Motion for a resolution

115. Highlights that certain third countries ***use special tax regimes to attract businesses; points out that in certain jurisdictions***, it is ***extremely*** easy to set up a company without disclosing identity as ***only very little*** information is required; ***observes that creating simple legal documents online only takes a few steps; regrets that this could lead to the proliferation of practices used to avoid and evade taxes***;

Amendment

115. Highlights that certain third countries ***may be attractive as*** it is easy to set up a company without disclosing identity as ***limited*** information is required;

Or. en

Amendment 487

Sajjad Karim

Motion for a resolution

Paragraph 115

Motion for a resolution

115. Highlights that certain third countries *use special tax regimes to attract businesses; points out that in certain jurisdictions*, it is *extremely* easy to set up a company without disclosing identity as *only very little* information is required; *observes that creating simple legal documents online only takes a few steps; regrets that this could lead to the proliferation of practices used to avoid and evade taxes;*

Amendment

115. Highlights that certain third countries *may be attractive as* it is easy to set up a company without disclosing identity as *limited* information is required;

Or. en

Amendment 488

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 115

Motion for a resolution

115. Highlights that certain third countries use special tax regimes to attract businesses; points out that in certain jurisdictions, it is extremely easy to set up a company without disclosing identity as only very little information is required; observes that creating simple legal documents online only takes a few steps; regrets that this could lead to the proliferation of practices used to avoid and evade taxes;

Amendment

115. Highlights that certain third countries *and EU jurisdictions* use special tax regimes to attract businesses; points out that in certain jurisdictions, it is extremely easy to set up a company without disclosing identity as only very little information is required; observes that creating simple legal documents online only takes a few steps; regrets that this could lead to the proliferation of practices used to avoid and evade taxes;

Or. en

Amendment 489

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 115 a (new)

Motion for a resolution

Amendment

115a. *Notes that several countries, including some Member States ,have recently developed citizenship programmes for non-EU residents, providing citizenship in exchange of financial investments in their country; Considers that the contravenes the spirit of EU citizenship law, which is not a transactional arrangement; Stresses that such programmes must be compliant with AML standards, especially as to verifying the source of wealth and source of funds of individuals benefitting from these programmes; Stresses that dual-citizenship resulting from these programmes may also undermine the objectives of automatic exchange of tax information;*

Or. en

Amendment 490

Patrick Le Hyaric, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution
Paragraph 115 a (new)

Motion for a resolution

Amendment

115a. *Notes that tax free zones provide opportunities for money laundering, and those operating in such zones should be held to a high standard; that tax preferences combine with secrecy to enable and encourage tax avoidance and evasion on a massive scale, and in many instances play a role in attracting money laundering operations. ^{1a};*

*^{1a} Joseph Stiglitz and Mark Pieth,
'Overcoming the Shadow Economy',
November 2016.*

Or. en

Amendment 491

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

**Motion for a resolution
Paragraph 115 b (new)**

Motion for a resolution

Amendment

115b. Stresses that the Brexit negotiations are likely to have an impact on the corporate tax strategy of the UK after it leaves the Union; Stresses the importance to the Union of defending the highest standards of tax governance and requires the UK to be required to meet these standards before any FTA or other close trading relationship can be agreed;

Or. en

Amendment 492

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

**Motion for a resolution
Paragraph 116**

Motion for a resolution

Amendment

116. Observes that *although US legislation on AML and UBO transparency is less ambitious than in the EU, the US enforcement is more effective;*

116. Observes that *US has a less ambitious AML legislation than in the EU, especially on UBO transparency where no centralised UBO register exists, but has a better track record of effectively implementing it; notes that in contrast to*

the 40+9 FATF recommendations and due to the common internal market rules, EU Member States do not treat each other as third countries, potentially leading to AML loopholes; observes that due to a lack of human resources by the Commission, Member States' compliance with AML legislation is not properly monitored;

Or. en

Amendment 493

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 116

Motion for a resolution

116. Observes that *although US legislation on AML and UBO transparency is less ambitious than in the EU, the US enforcement is more effective;*

Amendment

116. Observes that *while the US has a robust system in place for money laundering investigation, for prosecution and confiscation, there are significant gaps in terms of identifying the beneficial ownership of companies and other structures^{1a};*

^{1a} Ashish Kumar's declaration at PANA hearing 7 December 2016.

Or. en

Amendment 494

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 116

Motion for a resolution

116. Observes that although US

Amendment

116. Observes that although US

legislation on AML and UBO transparency is less ambitious than in the EU, the US enforcement is more effective;

legislation on AML and UBO transparency is less ambitious than in the EU, the US enforcement is more effective *because of its graduated tax system*;

Or. de

Amendment 495
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 117

Motion for a resolution

117. Points to the tax deferral system in the US, which allows multinational enterprises (MNEs) to park their overseas profits offshore for an unlimited time, avoiding taxes due when repatriating those profits;

Amendment

117. Points to the tax deferral system in the US, which allows ***national and*** multinational enterprises (MNEs) to park their overseas profits offshore for an unlimited time, avoiding taxes due when repatriating those profits; ***assumes that the necessary reforms will be introduced in the US***;

Or. de

Amendment 496
Pirkko Ruohonen-Lerner, Monica Macovei

Motion for a resolution
Paragraph 117

Motion for a resolution

117. Points to the tax deferral system in the US, which allows ***multinational enterprises (MNEs)*** to park their overseas profits offshore for an unlimited time, avoiding taxes due when repatriating those profits;

Amendment

117. Points to the tax deferral system in the US, which allows ***MNEs*** to park their overseas profits offshore for an unlimited time, avoiding taxes due when repatriating those profits;

Or. en

Amendment 497

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 117 a (new)

Motion for a resolution

Amendment

117a. Points to the AML legislation in Switzerland, which does not consider lawyers acting as or using nominee directors as obliged entities having to carry out customer due diligence, which seems contrary to FATF recommendations; Regrets that Switzerland has not changed its legislation since the publication of the Panama Papers; Highlights the low number of STRs in Switzerland reported to the FIU and the lack of power by the Swiss FIU to investigate a request from a counterpart, if no prior STR has been filed, hindering international cooperation;

Or. en

Amendment 498

Ana Gomes, Emmanuel Maurel, Elly Schlein, Evelyn Regner, Pervenche Berès, Peter Simon

Motion for a resolution
Paragraph 117 a (new)

Motion for a resolution

Amendment

117a. Regrets that provisions and concrete frameworks for implementation of tax cooperation as a rule fall outside the scope of EU free trade agreements (FTAs); observes that most EU FTAs include vague commitments of third countries to combating money laundering and tax evasion that usually take the form

of ‘best endeavour’ clauses or, even worse, ‘willingness’ clauses, which use vague language such as ‘the Parties take note of’ internationally agreed standards^{2a};

^{2a} *The inclusion of financial services in EU free trade and association agreements: Effects on money laundering, tax evasion and avoidance, Dr Isabelle Ioannides, European Parliamentary Research Service (EPRS), June 2016.*

Or. en

Amendment 499

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 117 b (new)

Motion for a resolution

Amendment

117b. Highlights that real estate, tax planning structures and transactions as well as securities are three areas of high risk of money laundering for several third countries, as highlighted for example in the Gibraltar national risks assessment;

Or. en

Amendment 500

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 117 c (new)

Motion for a resolution

Amendment

117c. Notes that the European Commission provides comments for each evaluation by FATF or Moneyval of Member States and suggests these comments are made public in the future;

Or. en

Amendment 501

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 117 d (new)

Motion for a resolution

Amendment

117d. Recalls its request to enhance the EU's role on the international stage by speaking with one voice and to work on the development of a common EU framework for bilateral treaties in tax matters as a way to tackle treaty shopping; Considers that the setting up of free trade agreements needs to be accompanied by enhanced tax cooperation, provisions preventing tax avoidance and should include principles of good tax governance;

Or. en

Amendment 502
Dariusz Rosati

Motion for a resolution
Subheading 4.2

Motion for a resolution

Amendment

Developing countries

deleted

Amendment 503
Raymond Finch

Motion for a resolution
Paragraph 118

Motion for a resolution

Amendment

118. Stresses that at the same time that inequality is rising, less developed countries are disproportionately hit by tax evasion and money laundering via offshore constructions; notes that 30 % of African financial wealth is held offshore, leading to tax revenue losses of USD 14 billion⁵² ; *deleted*

⁵² *Gabriel Zucman, Teresa Lavender Fagan and Thomas Piketty (2015), 'The hidden wealth of nations: The scourge of tax havens'. University of Chicago Press, 2015.*

Amendment 504
Dariusz Rosati

Motion for a resolution
Paragraph 118

Motion for a resolution

Amendment

118. Stresses that at the same time that inequality is rising, less developed countries are disproportionately hit by tax evasion and money laundering via offshore constructions; notes that 30 % of African financial wealth is held offshore, leading to tax revenue losses of USD 14 billion⁵² ; *deleted*

⁵² *Gabriel Zucman, Teresa Lavender Fagan and Thomas Piketty (2015), ‘The hidden wealth of nations: The scourge of tax havens’. University of Chicago Press, 2015.*

Or. en

Amendment 505
Angel Dzhambazki, Bernd Lucke

Motion for a resolution
Paragraph 118

Motion for a resolution

Amendment

118. *Stresses that at the same time that inequality is rising, less developed countries are disproportionately hit by tax evasion and money laundering via offshore constructions; notes that 30 % of African financial wealth is held offshore, leading to tax revenue losses of USD 14 billion⁵² ;* **deleted**

⁵² *Gabriel Zucman, Teresa Lavender Fagan and Thomas Piketty (2015), ‘The hidden wealth of nations: The scourge of tax havens’. University of Chicago Press, 2015.*

Or. en

Amendment 506
Ana Gomes

Motion for a resolution
Paragraph 118

Motion for a resolution

Amendment

118. Stresses that at the same time that

118. Stresses that at the same time that

inequality is rising, less developed countries are disproportionately hit by tax evasion and money laundering via offshore constructions; notes that 30 % of African financial wealth is held offshore, leading to tax revenue losses of USD 14 billion⁵² ;

inequality is rising, less developed countries are disproportionately hit by tax evasion and money laundering via offshore constructions; notes that 30 % of African financial wealth is held offshore, leading to tax revenue losses of USD 14 billion⁵² ;
adds that by failing to enact AML controls and proper supervision on investments of foreign investors, some EU Member States actually serve as "laundromats" and thus assist several kleptocracies around the world and not just in developing countries;

⁵² Gabriel Zucman, Teresa Lavender Fagan and Thomas Piketty (2015), 'The hidden wealth of nations: The scourge of tax havens'. University of Chicago Press, 2015.

⁵² Gabriel Zucman, Teresa Lavender Fagan and Thomas Piketty (2015), 'The hidden wealth of nations: The scourge of tax havens'. University of Chicago Press, 2015.

Or. en

Amendment 507

Elly Schlein, Emmanuel Maurel, Sergio Gaetano Cofferati, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon, Linda McAvan

Motion for a resolution

Paragraph 118

Motion for a resolution

118. Stresses that at the same time that inequality is rising, less developed countries are disproportionately hit by tax evasion and money laundering via offshore constructions; notes that 30 % of African financial wealth is held offshore, leading to tax revenue losses of USD 14 billion⁵² ;

⁵² Gabriel Zucman, Teresa Lavender Fagan and Thomas Piketty (2015), 'The hidden wealth of nations: The scourge of tax

Amendment

118. Stresses that at the same time that inequality is rising, less developed countries are disproportionately hit by tax evasion and money laundering via offshore constructions ***depriving them of the essential resources to fund the most basic services***; notes that 30 % of African financial wealth is held offshore, leading to tax revenue losses of USD 14 billion⁵² ;

⁵² Gabriel Zucman, Teresa Lavender Fagan and Thomas Piketty (2015), 'The hidden wealth of nations: The scourge of tax

havens'. University of Chicago Press,
2015.

havens'. University of Chicago Press,
2015.

Or. en

Amendment 508

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 118 a (new)

Motion for a resolution

Amendment

118a. Notes that the developing countries endowed with low fiscal regimens and lax regulations are usually used by international capital which benefits from their weak fiscal schemes and flexible regulation, which is found to be a consequence of scarce resources as well as the lobby and political powers of transnational corporations and high-net-worth individuals and families;

Or. en

Amendment 509

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 118 a (new)

Motion for a resolution

Amendment

118a. Deplores the hypocrisy of some EU politicians criticising corruption in developing countries while their leading corporations are complicit in the deals that allow the draining of wealth through tax avoidance;

Amendment 510
Raymond Finch

Motion for a resolution
Paragraph 119

Motion for a resolution

Amendment

119. Underlines that illicit financial flows have devastating effects on developing countries⁵³ ; notes that in its report of December 2014, Global Financial Integrity (GFI) estimated that developing and emerging economies lost USD 6.6 trillion in illicit financial flows from 2003 to 2012, with illicit outflows increasing at a staggering average rate of 9.4 % per year⁵⁴ ; *deleted*

⁵³ OECD, 'Illicit Financial Flows from Developing Countries: Measuring OECD Responses', 2014, p. 15.

⁵⁴ *Global Financial Integrity*.

Amendment 511
Dariusz Rosati

Motion for a resolution
Paragraph 119

Motion for a resolution

Amendment

119. Underlines that illicit financial flows have devastating effects on developing countries⁵³ ; notes that in its report of December 2014, Global Financial Integrity (GFI) estimated that developing and emerging economies lost USD 6.6 trillion in illicit financial flows *deleted*

from 2003 to 2012, with illicit outflows increasing at a staggering average rate of 9.4 % per year⁵⁴ ;

⁵³ OECD, ‘Illicit Financial Flows from Developing Countries: Measuring OECD Responses’, 2014, p. 15.

⁵⁴ *Global Financial Integrity.*

Or. en

Amendment 512
Raymond Finch

Motion for a resolution
Paragraph 120

Motion for a resolution

Amendment

120. Emphasises the controversy that some companies, often supported by fraudulent officials, use tax evasion and avoidance, transfer pricing and anonymous company ownership to maximise profits, while millions lack adequate nutrition, health and education⁵⁵ ; *deleted*

⁵⁵ Marc Tran, ‘Tax Evasion Still Crippling Africa as Rich Countries Fail to Deliver Support’, The Guardian, 10 May 2013.

Or. en

Amendment 513
Dariusz Rosati

Motion for a resolution
Paragraph 120

120. Emphasises the controversy that some companies, often supported by fraudulent officials, use tax evasion and avoidance, transfer pricing and anonymous company ownership to maximise profits, while millions lack adequate nutrition, health and education⁵⁵ ;

deleted

⁵⁵ Marc Tran, 'Tax Evasion Still Crippling Africa as Rich Countries Fail to Deliver Support', The Guardian, 10 May 2013.

Or. en

Amendment 514

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 120

120. Emphasises the controversy that some companies, often supported by fraudulent officials, use tax evasion and avoidance, transfer pricing and anonymous company ownership to maximise profits, while millions lack adequate nutrition, health and education⁵⁵ ;

120. Emphasises the controversy that some companies, often supported by fraudulent officials, use tax evasion and avoidance, transfer pricing and anonymous company ownership to maximise profits, while millions lack adequate nutrition, health and education⁵⁵ ; ***Further emphasizes the importance of good corporate governance and the principles of transparency and accountability in state owned enterprises;***

⁵⁵ Marc Tran, 'Tax Evasion Still Crippling Africa as Rich Countries Fail to Deliver Support', The Guardian, 10 May 2013.

⁵⁵ Marc Tran, 'Tax Evasion Still Crippling Africa as Rich Countries Fail to Deliver Support', The Guardian, 10 May 2013.

Amendment 515
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 120

Motion for a resolution

120. Emphasises the controversy that some companies, often supported by ***fraudulent*** officials, use tax evasion and ***avoidance***, transfer pricing and anonymous company ownership to maximise profits, while millions lack adequate nutrition, health and education⁵⁵;

⁵⁵Marc Tran, 'Tax Evasion Still Crippling Africa as Rich Countries Fail to Deliver Support', The Guardian, 10 May 2013.

Amendment

120. Emphasises the controversy that some companies, often supported by ***corrupt*** officials, use tax evasion and avoidance, ***fictitious*** transfer pricing and anonymous company ownership to maximise profits, while millions lack adequate nutrition, health and education⁵⁵;

⁵⁵Marc Tran, 'Tax Evasion Still Crippling Africa as Rich Countries Fail to Deliver Support', The Guardian, 10 May 2013.

Amendment 516
Pirkko Ruohonen-Lerner, Monica Macovei

Motion for a resolution
Paragraph 120 a (new)

Motion for a resolution

120a. Notes that many developing countries lack online financial accounts registers, and obtaining financial accounts may be difficult or impossible even directly from the relevant authorities, and that this would require attention from the EU and other donors;

Amendment 517
Dariusz Rosati

Motion for a resolution
Paragraph 121

Motion for a resolution

Amendment

121. Takes the view that developing countries are excluded from the OECD system for automatic information exchange, owing to lack of technical, human and institutional capacity; notes that regarding global cooperation, a common approach to simple principles is yet to be established so as to have an effective outcome;

deleted

Or. en

Amendment 518
Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 121

Motion for a resolution

Amendment

121. Takes the view that developing countries **are excluded from** the OECD system for automatic information exchange, **owing to** lack of technical, human and institutional capacity; notes that regarding global cooperation, a common approach to simple principles is yet to be established so as to have an effective outcome;

121. Is concerned that no developing countries **will implement** the OECD system for automatic information exchange **as of 2017 or 2018, because of a** lack of technical, human and institutional capacity; notes that regarding global cooperation, a common approach to simple principles is yet to be established so as to have an effective outcome; **Warns against the risk of having a two-speed international system of automatic exchange of information with developing countries being left out because of lacking capacity to commit to reciprocal exchanges;**

Or. en

Amendment 519

Elly Schlein, Emmanuel Maurel, Marju Lauristin, Sergio Gaetano Cofferati, Emilian Pavel, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon, Linda McAvan

Motion for a resolution

Paragraph 121

Motion for a resolution

121. Takes the view that developing countries ***are excluded from*** the OECD system for automatic information exchange, ***owing*** to lack of technical, human and institutional capacity; notes that regarding global cooperation, a common approach to simple principles is yet to be established so as to have an effective outcome;

Amendment

121. Takes the view that ***by requiring all*** developing countries ***to abide by the reciprocity clause of*** the OECD system for automatic information exchange ***may exclude them from the benefits of this fundamental tool in the fight against tax avoidance and tax evasion due*** to lack of technical, human and institutional capacity; notes that regarding global cooperation, a common approach to simple principles is yet to be established so as to have an effective outcome;

Or. en

Amendment 520

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 121 a (new)

Motion for a resolution

121a. Notes that the work of the UN Tax Committee is seriously under-resourced; Considers that a just global tax regime requires a democratic and adequately resourced policy-making and enforcement body under the auspices of the UN;

Or. en

Amendment 521

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 121 a (new)

Motion for a resolution

Amendment

121a. Underlines that there is a lack of reciprocity in practice from developed countries towards developing countries in the exchange of information^{1a};

^{1a} Report on the 'Inaugural Forum on Developing Country Tax Policies and Cooperation for Agenda 2030' held in Indonesia in December 2016, South Centre.

Or. en

Amendment 522

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 121 b (new)

Motion for a resolution

Amendment

121b. Notes that in order not to be branded as non-cooperative jurisdictions, developing countries must pay to be considered a participant in the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes, where countries are subjected to an evaluation of their practices, against benchmarks they have not been full participants in determining^{1a};

^{1a} Report on the 'Inaugural Forum on Developing Country Tax Policies and Cooperation for Agenda 2030' held in

Amendment 523
Raymond Finch

Motion for a resolution
Paragraph 122

Motion for a resolution

Amendment

122. Finds that Africa as a continent loses at least USD 50 billion annually in illicit financial flows, which is twice as much as it receives in international aid; hears the strong call from developing countries' representatives to outlaw tax havens, as they stock illegal business capital⁵⁶ ; *deleted*

⁵⁶ PANA hearing on developing countries,
6 April 2017.

Amendment 524
Dariusz Rosati

Motion for a resolution
Paragraph 122

Motion for a resolution

Amendment

122. Finds that Africa as a continent loses at least USD 50 billion annually in illicit financial flows, which is twice as much as it receives in international aid; hears the strong call from developing countries' representatives to outlaw tax havens, as they stock illegal business capital⁵⁶ ; *deleted*

⁵⁶ *PANA hearing on developing countries,
6 April 2017.*

Or. en

Amendment 525
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 122

Motion for a resolution

122. Finds that Africa as a continent loses at least USD 50 billion annually in illicit financial flows, which is twice as much as it receives in international aid; hears the strong call from developing countries' representatives to *outlaw* tax havens, as they stock illegal business capital⁵⁶ ;

⁵⁶PANA hearing on developing countries,
6 April 2017.

Amendment

122. Finds that Africa as a continent loses at least USD 50 billion annually in illicit financial flows, which is twice as much as it receives in international aid; hears the strong call from developing countries' representatives to *put an end to* tax havens, as they stock illegal business capital⁵⁶ ;

⁵⁶PANA hearing on developing countries,
6 April 2017.

Or. de

Amendment 526
Enrico Gasbarra

Motion for a resolution
Paragraph 122 a (new)

Motion for a resolution

122a. Believes that improving the tax capacities of the countries affected by tax evasion and tax avoidance can bring significant benefits, Recalls the direct relationship that exists between the threshold in the collected taxes and the government's institutional capacity;

Amendment

Reiterates in this regard some scientific evidence showing that 10 per cent increase in tax management capacity corresponds to an annual GDP growth of 1.5 per cent;

Or. en

Amendment 527

Pirkko Ruohonen-Lerner, Monica Macovei

Motion for a resolution

Paragraph 122 a (new)

Motion for a resolution

Amendment

122a. Notes that the EU's actions influence tax transparency also through investment activities by the European Investment Bank and the European Bank for Reconstruction and Development, which use non-transparent investment structures in their portfolio investments, and demands action to address these problems;

Or. en

Amendment 528

Elly Schlein, Emmanuel Maurel, Marju Lauristin, Sergio Gaetano Cofferati, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon, Linda McAvan

Motion for a resolution

Paragraph 122 a (new)

Motion for a resolution

Amendment

122a. Welcomes the initiative of some Member States that carried out spill-over analysis of their domestic tax policies to assess the negative impacts on developing countries, and stresses the need for such initiative at EU level;

Amendment 529
Enrico Gasbarra

Motion for a resolution
Paragraph 122 a (new)

Motion for a resolution

Amendment

122a. Expresses its concern at the increasing negative impact of illicit financial flows, which represent an obstacle to economic growth, social development, fight to inequality, empowerment of government and institutional capacity;

Or. en

Amendment 530
Emmanuel Maurel, Marju Lauristin, Elly Schlein, Emilian Pavel, Ana Gomes, Hugues Bayet, Sergio Gaetano Cofferati, Peter Simon

Motion for a resolution
Paragraph 122 a (new)

Motion for a resolution

Amendment

122a. Regrets that developing countries remain largely excluded from the design of international tax standards;

Or. en

Amendment 531
Elly Schlein, Emmanuel Maurel, Emilian Pavel, Sergio Gaetano Cofferati, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon, Linda McAvan

Motion for a resolution
Paragraph 122 b (new)

Motion for a resolution

Amendment

122b. Notes that the BEPS process did not include developing countries as equal negotiating partners and failed to deliver effective solutions to poorest countries' tax problems, including the global network of tax treaties that often impedes developing countries from taxing profits generated in their territory; stresses that only a full involvement of developing countries in the global tax reform can provide effective solutions to a global problem;

Or. en

Amendment 532

Pirkko Ruohonen-Lerner, Monica Macovei

Motion for a resolution

Paragraph 122 b (new)

Motion for a resolution

Amendment

122b. Emphasises that conditionalities attached to sovereign lending can also either hinder or advance efforts to promote transparency and address international tax flight, and notes that these issues did not receive enough attention for example in the EU's loan program for Greece;

Or. en

Amendment 533

Enrico Gasbarra

Motion for a resolution

Paragraph 122 b (new)

Motion for a resolution

Amendment

122b. Underlines that many OECD studies show the direct link between illicit financial flows and social policies, including in particular mortality rate, which would bring about relevant improvements if flows were more effectively countered;

Or. en

Amendment 534

Enrico Gasbarra, Evelyn Regner

Motion for a resolution

Paragraph 122 d (new)

Motion for a resolution

Amendment

122d. Believes that improving the tax capacities of the countries affected by tax evasion and tax avoidance can bring significant benefits, Recalls the direct relationship that exists between the threshold in the collected taxes and the government's institutional capacity; Reiterates in this regard some scientific evidence showing that 10 per cent increase in tax management capacity corresponds to an annual GDP growth of 1.5 per cent;

Or. en

Amendment 535

Enrico Gasbarra, Hugues Bayet, Evelyn Regner, Peter Simon

Motion for a resolution

Paragraph 122 e (new)

Motion for a resolution

Amendment

122e. Expresses its concern at the increasing negative impact of illicit financial flows, which represent an

obstacle to economic growth, social development, fight to inequality, empowerment of government and institutional capacity;

Or. en

Amendment 536
Enrico Gasbarra, Evelyn Regner

Motion for a resolution
Paragraph 122 f (new)

Motion for a resolution

Amendment

122f. Underlines that many OECD studies show the direct link between illicit financial flows and social policies, including in particular mortality rate, which would bring about relevant improvements if flows were more effectively countered;

Or. en

Amendment 537
Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 123

Motion for a resolution

Amendment

123. Points to the fact that LuxLeaks, the Panama Papers, Swiss Leaks, Bahamas Leaks, Football Leaks and numerous other leaks have shown how crucial a role whistle-blowers can play when it comes to fighting money laundering, fraud, aggressive tax planning or corruption or otherwise shedding light on hidden behaviours; underlines, therefore, that the

123. Points to the fact that LuxLeaks, the Panama Papers, Swiss Leaks, Bahamas Leaks, Football Leaks and numerous other leaks have shown how crucial a role whistle-blowers can play when it comes to fighting money laundering, fraud, aggressive tax planning or corruption or otherwise shedding light on hidden behaviours; underlines, therefore, that the

protection of whistle-blowers can contribute to safeguarding the public interest, promoting good governance and strengthening the rule of law;

protection of whistle-blowers can contribute to safeguarding the public interest, promoting good governance and strengthening the rule of law; *notes that as long as obliged entities only risk low fines for not reporting or misreporting suspicions of money laundering to the authorities, the prevention of money laundering and terrorist financing is severely hindered;*

Or. en

Amendment 538

Stelios Kouloglou, Fabio De Masi, Matt Carthy, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas, Marina Albiol Guzmán

Motion for a resolution

Paragraph 123

Motion for a resolution

123. Points to the fact that LuxLeaks, the Panama Papers, Swiss Leaks, Bahamas Leaks, Football Leaks and numerous other leaks have shown how crucial a role whistle-blowers can play when it comes to fighting money laundering, fraud, aggressive tax planning or corruption or otherwise shedding light on hidden behaviours; underlines, therefore, that the protection of whistle-blowers can contribute to safeguarding the public interest, promoting good governance and strengthening the rule of law;

Amendment

123. Points to the fact that LuxLeaks, the Panama Papers, Swiss Leaks, Bahamas Leaks, Football Leaks and numerous other leaks have shown how crucial a role whistle-blowers can play when it comes to fighting money laundering, fraud, aggressive tax planning or corruption or otherwise shedding light on hidden behaviours *in the public or private sector, that seriously undermine fundamental rights*; underlines, therefore, that the protection of whistle-blowers can contribute to safeguarding the public interest *and financial integrity*, promoting good governance and strengthening the rule of law;

Or. en

Amendment 539

Dietmar Köster, Alfred Sant

Motion for a resolution
Paragraph 123

Motion for a resolution

123. Points to the fact that LuxLeaks, the Panama Papers, Swiss Leaks, Bahamas Leaks, Football Leaks and numerous other leaks have shown ***how crucial a role whistle-blowers can play*** when it comes to fighting money laundering, fraud, aggressive tax planning or corruption or otherwise shedding light on hidden behaviours; underlines, therefore, that the protection of whistle-blowers ***can contribute*** to safeguarding the public interest, promoting good governance and strengthening the rule of law;

Amendment

123. Points to the fact that LuxLeaks, the Panama papers, Swiss Leaks, Bahamas Leaks, Football Leaks and numerous other leaks have shown ***the essential role of whistle-blowers*** when it comes to fighting money laundering, fraud, aggressive tax planning or corruption or otherwise shedding light on hidden behaviours; underlines therefore that the protection of whistle-blowers ***contributes*** to safeguarding the public interest, promoting good governance and strengthening the rule of law

Or. en

Amendment 540

Stelios Kouloglou, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution
Paragraph 123 a (new)

Motion for a resolution

Amendment

123a. Considers that the implementation of comprehensive legal regulations on the protection of whistle-blowers encourages a speak-up culture and that whistle-blowers should be promoted as an act of good citizenship; urges therefore the Member States and the EU institutions to promote the positive role that whistle-blowers play, as well the serious concerns regarding their often vulnerable and defenceless position, in particular through awareness-raising and protection campaigns, communication and training efforts; recommends, particularly the Commission, to provide a comprehensive

plan on this issue; calls in this context for a website to be launched where useful information on the protection of whistle-blowers should be provided, as well as complaints can be submitted; stresses that this website should be easily accessible to the public and should keep their data anonymous;

Or. en

Amendment 541

Stelios Kouloglou, Patrick Le Hyaric, Takis Hadjigeorgiou, Miguel Viegas, Miguel Urbán Crespo, Curzio Maltese, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán

**Motion for a resolution
Paragraph 123 b (new)**

Motion for a resolution

Amendment

123b. Stresses the role that trade unions and civil society organisations play in supporting and helping whistleblowers in their dealings within their organisation;

Or. en

Amendment 542

Luděk Niedermayer, Dariusz Rosati

**Motion for a resolution
Paragraph 124**

Motion for a resolution

Amendment

124. Regrets that some countries use the prosecution of whistle-blowers as a means to safeguard secrecy⁵⁷; finds it highly regrettable that in the case of LuxLeaks, so far only the whistle-blowers have been prosecuted while the companies and intermediaries involved in the tax rulings exposed by the LuxLeaks documents remain unchanged;

deleted

⁵⁷ ‘Overcoming the shadow economy’,
Joseph E. Stiglitz and Mark Pieth,
November 2016.

Or. en

Amendment 543

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 124

Motion for a resolution

124. Regrets that some countries use the prosecution of whistle-blowers as a means to safeguard secrecy⁵⁷ ; finds it highly regrettable that in the case of LuxLeaks, so far only the whistle-blowers have been prosecuted while the companies and intermediaries involved in the tax rulings exposed by the LuxLeaks documents remain *unchanged*;

⁵⁷ ‘Overcoming the shadow economy’,
Joseph E. Stiglitz and Mark Pieth,
November 2016.

Amendment

124. Regrets that some countries use the prosecution of whistle-blowers as a means to safeguard secrecy⁵⁷ ; finds it highly regrettable that in the case of LuxLeaks, so far only the whistle-blowers have been prosecuted while the *practices of* companies and intermediaries involved in the tax rulings exposed by the LuxLeaks documents remain *untackled*; *recalls that the European Parliament has repeatedly called for improving protection of whistle-blowers*;

⁵⁷ ‘Overcoming the shadow economy’,
Joseph E. Stiglitz and Mark Pieth,
November 2016.

Or. en

Amendment 544

Angel Dzhambazki, Bernd Lucke

Motion for a resolution Paragraph 124

Motion for a resolution

124. Regrets that some countries use the prosecution of whistle-blowers as a means to safeguard secrecy⁵⁷; finds it highly regrettable that in the case of LuxLeaks, so far only the whistle-blowers have been prosecuted while the companies and intermediaries involved in the tax rulings exposed by the LuxLeaks documents remain unchanged;

⁵⁷ ‘Overcoming the shadow economy’, Joseph E. Stiglitz and Mark Pieth, November 2016.

Amendment

124. Regrets that some countries use the ***aggressive and sometimes only seemingly legal*** prosecution of whistle-blowers as a means to safeguard secrecy⁵⁷; finds it highly regrettable that in the case of LuxLeaks, so far only the whistle-blowers have been prosecuted while the companies and intermediaries involved in the tax rulings exposed by the LuxLeaks documents remain unchanged;

⁵⁷ ‘Overcoming the shadow economy’, Joseph E. Stiglitz and Mark Pieth, November 2016.

Or. en

Amendment 545

Virginie Rozière, Emmanuel Maurel, Marju Lauristin, Elly Schlein, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon

**Motion for a resolution
Paragraph 124**

Motion for a resolution

124. Regrets that some countries use the prosecution of whistle-blowers as a means to safeguard secrecy⁵⁷; finds it highly regrettable that in the case of LuxLeaks, so far only the whistle-blowers have been prosecuted while the companies and intermediaries involved in the tax rulings exposed by the LuxLeaks documents remain unchanged;

⁵⁷ ‘Overcoming the shadow economy’, Joseph E. Stiglitz and Mark Pieth, November 2016.

Amendment

124. Regrets that some countries use the prosecution of whistle-blowers as a means to safeguard secrecy⁵⁷; finds it highly regrettable that in the case of LuxLeaks, so far only the whistle-blowers ***and journalist*** have been prosecuted while the companies and intermediaries involved in the tax rulings exposed by the LuxLeaks documents remain unchanged;

⁵⁷ ‘Overcoming the shadow economy’, Joseph E. Stiglitz and Mark Pieth, November 2016.

Or. en

Amendment 546

Stelios Kouloglou, Patrick Le Hyaric, Takis Hadjigeorgiou, Miguel Viegas, Miguel Urbán Crespo, Curzio Maltese, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán

Motion for a resolution

Paragraph 125

Motion for a resolution

125. Welcomes the fact that the Commission is currently assessing the scope for horizontal or further sectorial action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;

Amendment

125. ***Highlights the need for legal certainty regarding the protective provisions afforded to whistle-blowers, as a continued lack of clarity and a fragmented approach deters potential whistle-blowers from coming forward; points out therefore that relevant EU legislation should establish a clear procedure for properly handling disclosures and effectively protecting whistle-blowers; welcomes the fact that the Commission is currently assessing the scope for horizontal or further sectorial action at EU level to strengthen whistle-blower protection; calls therefore on the Commission for the establishment of an effective and comprehensive whistle-blower protection programme which should also include such mechanisms for companies, public bodies, NGOs, national and European institutions; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;***

Or. en

Amendment 547

Marco Valli

Motion for a resolution

Paragraph 125

Motion for a resolution

Amendment

125. Welcomes the fact that the Commission is currently assessing the scope for horizontal or further sectorial action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;

125. Welcomes the fact that the Commission is currently assessing the scope for horizontal or further sectorial action at EU level to strengthen whistle-blower protection; ***highlights the need for horizontal legislation binding on all Member States to provide an effective level of protection for whistle blowers and appropriate reporting mechanisms for illegal transactions, both internal and external***; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;

Or. it

Amendment 548

Alfred Sant, Dietmar Köster, Evelyn Regner, Peter Simon

Motion for a resolution Paragraph 125

Motion for a resolution

125. Welcomes the fact that the Commission is currently assessing the scope for ***horizontal or further sectorial*** action at EU level to strengthen whistle-blower protection; ***notes that Parliament is in the process of drafting*** a non-legislative resolution to provide its recommendations on the issue;

Amendment

125. Welcomes the fact that the Commission is currently assessing the scope for action at EU level to strengthen whistle-blower protection ***and calls on the Commission to present a comprehensive horizontal legislation, based on internal market provisions of the EU treaties together with the flexibility clause; supports the process in the European Parliament of deciding on*** a non-legislative resolution to provide its recommendations on the issue;

Or. en

Amendment 549

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 125

Motion for a resolution

125. Welcomes the fact that the Commission is currently assessing the scope for ***horizontal or further sectorial*** action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;

Amendment

125. Welcomes the fact that the Commission is currently assessing the scope for action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue; ***Requests that Commissions' urgent attention to this resolution and speedy legislative action following its publication;***

Or. en

Amendment 550
Luděk Niedermayer, Dariusz Rosati

Motion for a resolution
Paragraph 125

Motion for a resolution

125. ***Welcomes the fact*** that the Commission is currently assessing the scope for ***horizontal or further sectorial*** action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting ***a non-legislative resolution*** to provide its recommendations on the issue;

Amendment

125. ***Notes*** that the Commission is currently assessing the scope for ***potential future*** action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting ***an own-initiative report*** to provide its recommendations on the issue;

Or. en

Amendment 551
Angel Dzhambazki, Bernd Lucke

Motion for a resolution
Paragraph 125

Motion for a resolution

125. **Welcomes** the fact that the Commission is currently assessing the scope for horizontal or further sectorial action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;

Amendment

125. **Notes** the fact that the Commission is currently assessing the scope for horizontal or further sectorial action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;

Or. en

Amendment 552
Sajjad Karim

Motion for a resolution
Paragraph 125

Motion for a resolution

125. **Welcomes** the fact that the Commission is currently assessing the scope for **horizontal or** further sectorial action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;

Amendment

125. **Notes** the fact that the Commission is currently assessing the scope for further sectorial action at EU level to strengthen whistle-blower protection; notes that Parliament is in the process of drafting a non-legislative resolution to provide its recommendations on the issue;

Or. en

Amendment 553
Petras Auštrevičius

Motion for a resolution
Paragraph 125 a (new)

Motion for a resolution

Amendment

125a. Urges the Council and the Member States to introduce targeted visa and financial Magnitsky sanctions in respect of non-EU persons involved in the

conspiracy exposed by Sergey Magnitsky, and comprising significant money laundering which affected EU Member States, and connected to the abuse and retaliation against Mr Magnitsky.

Or. en

Amendment 554

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

**Motion for a resolution
Paragraph 125 a (new)**

Motion for a resolution

Amendment

125a. Recalls that the Parliament has called on the Commission to submit a legislative proposal on whistleblower protection before the end of 2017;

Or. en

**Amendment 555
Raymond Finch**

**Motion for a resolution
Paragraph 127**

Motion for a resolution

Amendment

127. Notes that the principle of sincere cooperation includes a requirement for the Member States to take all appropriate measures to preserve the scope and effectiveness of Union law; recalls that Member States should refrain from measures that could seriously jeopardise the accomplishment of the result prescribed by EU law;

127. recalls that Member States should refrain from measures that could seriously jeopardise the accomplishment of the result prescribed by EU law;

Or. en

Amendment 556

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 128

Motion for a resolution

128. Welcomes the good cooperation with the Commission with regard to ***invitations to to*** President Juncker and Commissioners Jourová and Moscovici, as well as Commission officials, ***to attend*** committee meetings; regrets, however, that some of the answers provided during the exchange of views were unsatisfactory;

Amendment

128. Welcomes the good cooperation with the Commission with regard to ***the hearings of*** President Juncker and Commissioners Jourová and Moscovici, as well as ***attendance by*** Commission officials ***at*** committee meetings; regrets, however, that some of the answers provided during the exchange of views were ***totally*** unsatisfactory;

Or. de

Amendment 557

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 129

Motion for a resolution

129. Welcomes the answers that were provided by the Finance and Justice Ministers of 25 Member States in response to the questionnaire sent by the Committee; regrets, however, the fact that Malta, Denmark and Hungary have failed to respond;

Amendment

129. Welcomes the answers that were provided by the Finance and Justice Ministers of 25 Member States in response to the questionnaire sent by the Committee; regrets, however, the fact that Malta, Denmark and Hungary have failed to respond ***and that Malta, which held the rotating Presidency, was particularly uncooperative;***

Or. de

Amendment 558

Beatrix von Storch

Motion for a resolution
Paragraph 129

Motion for a resolution

129. Welcomes the answers that were provided by the Finance and Justice Ministers of 25 Member States in response to the questionnaire sent by the Committee; ***regrets, however, the fact that Malta, Denmark and Hungary have failed to respond;***

Amendment

129. Welcomes the answers that were provided by the Finance and Justice Ministers of 25 Member States in response to the questionnaire sent by the Committee;

Or. en

Amendment 559

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 130

Motion for a resolution

130. Points to the fact that it took six months to reach an agreement with the Commission on the access to non-classified confidential documents and that this delay constituted a major obstacle for the Committee's work; highlights that the documents received are not all updated and often heavily redacted, creating further major obstacles to the work of the Committee;

Amendment

130. Points to the fact that it took six months to reach an agreement with the Commission on the access to non-classified confidential documents and that this delay constituted a major obstacle for the Committee's work; highlights that the documents received are not all updated and often heavily redacted, creating further major obstacles to the work of the Committee; ***Finds it extremely regrettable that no findings from these non-classified documents (either on the intranet or in the reading room) are incorporated in this report, as information provided were considered confidential and the Committee was forbidden to include them in its final report;***

Or. en

Amendment 560

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 130

Motion for a resolution

130. Points to the fact that it took six months to reach an agreement with the Commission on the access to non-classified confidential documents and that this delay constituted a major obstacle for the Committee's work; highlights that the documents received are not all updated ***and often heavily redacted***, creating further major obstacles to the work of the Committee;

Amendment

130. Points to the fact that it took six months to reach an agreement with the Commission on the access to non-classified confidential documents and that this delay constituted a major obstacle for the Committee's work; highlights that the documents received are not all updated, ***there is an unnecessary and arbitrary redaction of the content***, creating further major obstacles to the work of the Committee;

Or. en

Amendment 561

Markus Ferber

Motion for a resolution

Paragraph 130

Motion for a resolution

130. Points to the fact that it took six months to reach an agreement with the Commission on the access to non-classified confidential documents and that this delay constituted a major obstacle for the Committee's work; highlights that the documents received are not all updated and often heavily redacted, creating further major obstacles to the work of the Committee;

Amendment

130. Points to the fact that it took six months to reach an agreement with the Commission on the access to non-classified confidential documents and that this delay constituted a major obstacle for the Committee's work; highlights that the documents received are not all updated and often heavily redacted ***or blacked out***, creating further major obstacles to the work of the Committee;

Or. de

Amendment 562
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 130

Motion for a resolution

130. Points to the fact that it took six months to reach an agreement with the Commission on the access to non-classified confidential documents and that this delay constituted a major obstacle for the Committee's work; highlights that the documents received are not all updated and often heavily redacted, creating further major obstacles to the work of the Committee;

Amendment

130. Points to the fact that it took six months to reach an agreement with the Commission on the access to non-classified confidential documents and that this delay constituted a major obstacle for the Committee's work; highlights that the documents received are not all updated and often heavily redacted (***blacked out***), creating further major obstacles to the work of the Committee;

Or. de

Amendment 563
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 131

Motion for a resolution

131. Notes that the Committee has invited the current and incoming Presidencies on several occasions to participate in hearings to discuss cooperation and the way forward in the area of anti-money laundering, tax evasion and tax avoidance, but that these requests have been declined on ***all occasions***;

Amendment

131. Notes that the Committee has invited the current and incoming Presidencies on several occasions to participate in hearings to discuss cooperation and the way forward in the area of anti-money laundering, tax evasion and tax avoidance, but that these requests have been ***consistently*** declined on ***the flimsiest of grounds***;

Or. de

Amendment 564

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 131

Motion for a resolution

131. Notes that the Committee has invited the current and incoming Presidencies on several occasions to participate in hearings to discuss cooperation and the way forward in the area of anti-money laundering, tax evasion and tax avoidance, but that these requests have been declined on all occasions;

Amendment

131. Notes that the Committee has invited the current and incoming Presidencies on several occasions to participate in hearings to discuss cooperation and the way forward in the area of anti-money laundering, tax evasion and tax avoidance, but ***regrets*** that these requests have been declined on all occasions;

Or. en

Amendment 565

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 132

Motion for a resolution

132. Notes that despite requests to the Council, no documents have been made available to the Committee; calls into question, therefore, the political will of the Council to enhance transparency and cooperation in the fight against tax evasion, tax avoidance and money laundering; stresses that Parliament feels that citizens should be able to see their respective governments' positions on such important issues;

Amendment

132. Notes that despite requests to the Council, no documents have been made available to the Committee; calls into question, therefore, the political will of the Council to enhance transparency and cooperation in the fight against tax evasion, tax avoidance and money laundering ***and the political will to comply with the Treaty and the principle of sincere cooperation***; stresses that Parliament feels that citizens should be able to see their respective governments' positions on such important issues;

Or. en

Amendment 566

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 132

Motion for a resolution

132. Notes that despite requests to the Council, no documents have been made available to the Committee; calls into question, therefore, the political will of the Council to enhance transparency and cooperation in the fight against tax evasion, ***tax avoidance*** and money laundering; stresses that Parliament feels that citizens should be able to see their respective governments' positions on such important issues;

Amendment

132. Notes that despite requests to the Council, no ***adequate*** documents have been made available to the Committee; calls into question, therefore, the political will of the Council to enhance transparency and cooperation in the fight against tax evasion and money laundering; stresses that Parliament feels that citizens should be able to see their respective governments' positions on such important issues;

Or. de

Amendment 567

Matt Carthy, Miguel Urbán Crespo, Fabio De Masi, Miguel Viegas, Marina Albiol Guzmán, Takis Hadjigeorgiou, Curzio Maltese, Stelios Kouloglou, Patrick Le Hyaric

Motion for a resolution

Paragraph 132 a (new)

Motion for a resolution

Amendment

132a. Notes with regret that from the establishment of the European Parliament's Panama Papers Committee of Inquiry the Council has attempted to obstruct its work, including by issuing an Information Note to the Permanent Representatives Committee regarding PANA on 1 July 2016 which called for a coordinated and unified approach among Member States to limit the scope of the inquiry, and to refuse to participate in the inquiry in certain circumstances;

Amendment 568

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution

Paragraph 132 a (new)

Motion for a resolution

Amendment

132a. Recalls the Council's attempt to obstruct and hinder the work of the Committee from its inception by issuing a legal opinion which questioned the Committee's legality and called for a coordinated and unified approach among Member States to limit the scope of the Committee's inquiry;

Amendment 569

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 133

Motion for a resolution

Amendment

133. Notes that the Chair of the Council's Code of Conduct Group on Business Taxation declined the invitation to participate in a committee hearing;

133. Notes that the Chair of the Council's Code of Conduct Group on Business Taxation declined the invitation to participate in a committee hearing ***on obscure legalistic grounds ('not an EU body')***;

Amendment 570

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 133

Motion for a resolution

133. *Notes* that the Chair of the Council's Code of Conduct Group on Business Taxation declined the invitation to participate in a committee hearing;

Amendment

133. *Deplores* that the Chair of the Council's Code of Conduct Group on Business Taxation declined the invitation to participate in a committee hearing;

Or. en

Amendment 571

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 134

Motion for a resolution

134. Finds that cooperation from the Council and its Code of Conduct Group on Business Taxation has been very unsatisfactory so far and that this in itself has constituted a serious hindrance to the work and findings of the PANA Committee;

Amendment

134. Finds that cooperation from the Council and its Code of Conduct Group on Business Taxation has been *and is still* very unsatisfactory so far and that this in itself has constituted a serious hindrance to the work and findings of the PANA Committee;

Or. de

Amendment 572

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution

Paragraph 134 a (new)

Motion for a resolution

Amendment

134a. Notes that due to the continued refusal of the Commission and the Council to consent to the proposal for a

regulation of the European Parliament on the detailed provisions governing the exercise of Parliament's right of inquiry, Parliament's committees of inquiry and special committees still enjoy insufficient competences - lacking, for instance, the right to summon witnesses and enforce document access - when compared to similar committees of Member States or the US Congress;

Or. en

Amendment 573
Enrico Gasbarra

Motion for a resolution
Paragraph 134 a (new)

Motion for a resolution

Amendment

134a. Hopes that the supervisory powers of the tax authorities will be expanded to ensure more severe opacity monitoring and stronger financial intelligence

Or. en

Amendment 574
Enrico Gasbarra, Hugues Bayet, Evelyn Regner

Motion for a resolution
Paragraph 134 b (new)

Motion for a resolution

Amendment

134b. Hopes that the supervisory powers of the tax authorities will be expanded to ensure more severe opacity monitoring and stronger financial intelligence;

Or. en

Amendment 575
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 135

Motion for a resolution

135. Concludes, therefore, that there has been a breach of the sincere cooperation principle for the above-mentioned reasons;

Amendment

135. Concludes, therefore, that there has been a breach of the sincere cooperation principle for the above-mentioned reasons ***by a number of Member States and also by the Council and its bodies***;

Or. de

Amendment 576
Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 135

Motion for a resolution

135. Concludes, therefore, that there has been a breach of the sincere cooperation principle for the above-mentioned reasons;

Amendment

135. Concludes, therefore, that there has been a breach of the sincere cooperation principle ***by the Member States*** for the above-mentioned reasons;

Or. en

Amendment 577
Luděk Niedermayer, Dariusz Rosati

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Concludes that the underlying problem embedded in the Panama Papers is the moving of money between different jurisdictions, both offshore and onshore,

deleted

Amendment

and that as long as these practices are tolerated all other efforts will have only limited impact;

Or. en

Amendment 578

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Concludes that the underlying problem embedded in the Panama Papers is the moving of money between different jurisdictions, both offshore and onshore, and that as long as these practices are tolerated all other efforts will have only limited impact;

Amendment

136. Concludes that the underlying problem embedded in the Panama Papers is the moving of money between different jurisdictions, both offshore and onshore, ***against the spirit and letter of laws*** and that as long as these practices are tolerated all other efforts will have only limited impact; ***Acknowledges that the liberalisation of financial flows has facilitated the practices of tax evasion and money laundering and that greater legal control, monitoring and enforcement is urgently required to match the level of transactions that have mushroomed in recent years;***

Or. en

Amendment 579

Marco Valli

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Concludes that the underlying problem embedded in the Panama Papers is

Amendment

136. Concludes that the underlying problem embedded in the Panama Papers is

the moving of money between different jurisdictions, both offshore and onshore, and that as long as these practices are tolerated all other efforts will have only limited impact;

the moving of money between different jurisdictions, both offshore and onshore, ***in which connection the main European banking institutions and some Member States are at the centre of the complex and opaque system for money laundering and international tax avoidance***, and that as long as these practices are tolerated ***and encouraged within the European Union***, all other efforts will have only limited impact ***and will not bring about any real change to the status quo***;

Or. it

Amendment 580
Beatrix von Storch

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Concludes that the ***underlying problem embedded in the Panama Papers is the*** moving of money between different jurisdictions, both offshore and onshore, ***and that as long as these practices are tolerated all other efforts will have only limited impact***;

Amendment

136. Concludes that the moving of money between different jurisdictions, both offshore and onshore, ***is part and parcel of a free society***;

Or. en

Amendment 581
Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Concludes that the underlying problem embedded in the Panama Papers is

Amendment

136. Concludes that the underlying problem embedded in the Panama Papers is

the moving of money between different jurisdictions, both offshore and onshore, and that as long as these practices are tolerated all other efforts will have only limited impact;

the moving of money between different jurisdictions, ***without a corresponding control and regulation of the capital movements***, both offshore and onshore, and that as long as these practices are tolerated all other efforts will have only limited impact;

Or. en

Amendment 582
Dariusz Rosati

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Concludes that the underlying problem embedded in the Panama Papers is the moving of money between different jurisdictions, both offshore and onshore, and that as long as these practices are tolerated all other efforts will have only limited impact;

Amendment

136. Concludes that the underlying problem embedded in the Panama Papers is the moving of money between different jurisdictions ***with the purpose of not paying taxes or laundering money***, both offshore and onshore, and that as long as these practices are tolerated all other efforts will have only limited impact;

Or. en

Amendment 583
Barbara Kappel

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Concludes that the underlying problem embedded in the Panama Papers is the moving of money between different jurisdictions, both offshore and onshore, and that as long as these practices are ***tolerated*** all other efforts will have only limited impact;

Amendment

136. Concludes that the underlying problem embedded in the Panama Papers is the moving of money between different jurisdictions, both offshore and onshore, and that as long as these practices are ***not adequately addressed*** all other efforts will have only limited impact;

Amendment 584

Marco Valli

Motion for a resolution

Paragraph 136 a (new)

Motion for a resolution

Amendment

136a. Deplores the fact that the investigation conducted by the PANA Committee of Inquiry has not achieved the objective of providing clarity on the role of Member States and their political representatives in the construction and maintenance of the current tax system, making it impossible to establish specific political responsibilities and to act accordingly;

Or. it

Amendment 585

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 136 a (new)

Motion for a resolution

Amendment

136a. Concludes that tax competition, with its detrimental effects, is not only allowed but encouraged by the European Commission, in an attempt to attract foreign investment even when the effectiveness of this strategy has been greatly questioned.

Or. en

Amendment 586

Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 137

Motion for a resolution

137. Finds that through the use of trusts, shell companies, tax havens and complex international financial structures, some multinational companies and high net worth individuals have successfully shielded their fortunes from, *for example*, the tax authorities and others with legitimate financial claims against them, thereby rendering themselves immune by positioning their wealth in a legislative vacuum;

Amendment

137. Finds that through the use of trusts, shell companies, tax havens and complex international financial structures, some multinational companies and high net worth individuals have successfully shielded their fortunes from the tax authorities and others with legitimate financial claims against them, thereby rendering themselves immune by positioning their wealth in a legislative vacuum;

Or. de

Amendment 587

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 137

Motion for a resolution

137. Finds that through the use of trusts, shell companies, tax havens and complex international financial structures, *some multinational companies and high net worth individuals have successfully shielded their fortunes from, for example, the tax authorities and others with legitimate financial claims against them, thereby rendering themselves immune by positioning their wealth in a legislative vacuum;*

Amendment

137. Finds that through the use of trusts, shell companies, tax havens and complex international financial structures, *tax evasion, corruption, organised crime, drug and people trafficking, terror financing and other money laundering activities have been made possible and that some multinational companies and individuals have broken national and European rules to commit these crimes;*

Or. en

Amendment 588

Lud k Niedermayer, Dariusz Rosati

Motion for a resolution

Paragraph 138

Motion for a resolution

138. Concludes that the lack of cooperation and coordination on different pieces of legislation with regard to tax evasion, tax avoidance and money laundering is a systemic problem;

Amendment

138. Concludes that the lack of cooperation and coordination ***between and among the EU institutions and its agencies, Member States and competent authorities*** on different pieces of legislation with regard to tax evasion, tax avoidance and money laundering is a systemic problem;

Or. en

Amendment 589

Markus Ferber

Motion for a resolution

Paragraph 139

Motion for a resolution

139. Concludes that some Member States tend not to provide relevant information in the desired quantity and quality and in general do not seem to exert genuine efforts to crack down on tax avoidance and tax evasion;

Amendment

139. Concludes that some Member States tend not to provide relevant information in the desired quantity and quality and in general do not seem to exert genuine efforts to crack down on tax avoidance and tax evasion; ***concludes from this that the Member States are seeking to conceal their own misconduct;***

Or. de

Amendment 590

Emmanuel Maurel, Elly Schlein, Hugues Bayet, Ana Gomes, Sergio Gaetano Cofferati, Emilian Pavel, Marju Lauristin, Peter Simon

Motion for a resolution

Paragraph 139

Motion for a resolution

139. Concludes that some Member States tend not to provide relevant information in the desired quantity and quality and in general do not seem to exert genuine efforts to crack down on tax avoidance and tax evasion;

Amendment

139. Concludes that some Member States tend not to provide relevant information in the desired quantity and quality and in general do not seem to exert genuine efforts to crack down on tax avoidance and tax evasion, ***which constitutes a breach of the principle of sincere cooperation enshrined in the TEU;***

Or. en

Amendment 591
Brian Hayes, Seán Kelly

Motion for a resolution
Paragraph 139

Motion for a resolution

139. Concludes that some Member States tend not to provide relevant information in the desired quantity and quality ***and in general do not seem to exert genuine efforts to crack down on tax avoidance and tax evasion;***

Amendment

139. Concludes that some Member States tend not to provide relevant information in the desired quantity and quality;

Or. en

Amendment 592
Angel Dzhambazki

Motion for a resolution
Paragraph 139

Motion for a resolution

139. Concludes that some Member States tend not to provide relevant information in the desired quantity and quality and in ***general*** do not seem to exert genuine efforts to crack down on tax

Amendment

139. Concludes that some Member States tend not to provide relevant information in the desired quantity and quality and in do not seem to exert genuine efforts to crack down on tax avoidance and

avoidance and tax evasion;

tax evasion;

Or. en

Amendment 593

Takis Hadjigeorgiou, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo

Motion for a resolution

Paragraph 139 a (new)

Motion for a resolution

Amendment

139a. Concludes that free media, investigative journalism and whistle blowers can play a catalytic role in promoting democracy and the rule of law, transparency and in tackling money laundering and tax evasion; underlines, therefore, the need to be strengthened and protected both at the EU and Member States level;

Or. en

Amendment 594

Markus Ferber

Motion for a resolution

Paragraph 139 a (new)

Motion for a resolution

Amendment

139a. Concludes that, even within the EU, a number of jurisdictions are actively encouraging, money laundering, tax evasion and aggressive tax planning; regrets the fact that the Commissioner responsible for taxation is choosing to deny this;

Or. de

Amendment 595

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 140**

Motion for a resolution

140. Recalls that transparency and exchange of information are key instruments in fighting tax evasion, tax avoidance and money laundering;

Amendment

140. Recalls that transparency and exchange of information are key instruments in fighting tax evasion, tax avoidance and money laundering;
concludes that public country-by-country reporting of tax information of all large companies is warranted;

Or. en

Amendment 596

Cora van Nieuwenhuizen, Enrique Calvet Chambon

Motion for a resolution **Paragraph 140**

Motion for a resolution

140. Recalls that transparency ***and*** exchange of information are key ***instruments*** in fighting tax evasion, tax avoidance and money laundering;

Amendment

140. Recalls that transparency, exchange of information, ***adequate enforcement and continuously improving the combat techniques*** are key in fighting tax evasion, tax avoidance and money laundering;

Or. en

Amendment 597

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution **Paragraph 140**

Motion for a resolution

140. Recalls that transparency **and** exchange of information are key instruments in fighting tax evasion, tax avoidance and money laundering;

Amendment

140. Recalls that transparency, **the** exchange of information **and dissuasive sanctions** are key instruments in fighting tax evasion, tax avoidance and money laundering

Or. en

Amendment 598

Alfred Sant, Marju Lauristin, Emilian Pavel, Peter Simon

Motion for a resolution

Paragraph 140 – subparagraph 1 (new)

Motion for a resolution

Amendment

Therefore proposes that all tax administrations publish annually on their websites the list of physical persons, corporations and juridical entities eligible to pay income tax and taxes on profits (including capital gains taxes) within the jurisdiction as well as the actual amount of tax paid by each for the latest available year in which taxes have been collected; while ensuring direct transparency, such publication will cause minimal additional administrative burden since the relevant information is readily available to the tax authorities;

Or. en

Amendment 599

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 140 a (new)

Motion for a resolution

Amendment

140a. Urges the EU institutions to draft a new regulation covering all those involved players and their activities, putting on the table monitoring bodies and sanctions which contribute to prevent negative practices linked to fiscal and financial crime;

Or. en

Amendment 600

Stelios Kouloglou, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

**Motion for a resolution
Paragraph 140 b (new)**

Motion for a resolution

Amendment

140b. Stresses the role of Whistle-blowers in reporting unlawful or improper conduct which undermines or endangers the public interest and the need to establish an effective and comprehensive horizontal European whistle-blower protection programme that covers both the public and private sectors;

Or. en

Amendment 601

Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Miguel Viegas, Miguel Urbán Crespo, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Curzio Maltese

**Motion for a resolution
Paragraph 140 c (new)**

Motion for a resolution

Amendment

140c. Notes the necessity for Member States to enforce effective anti-corruption rules and, to properly implement existing EU and international standards and

guidelines;

Or. en

Amendment 602

Stelios Kouloglou, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution

Paragraph 140 d (new)

Motion for a resolution

Amendment

140d. Stresses the role of investigative journalism and the need to ensure that the Commission's proposal affords the same protection to investigative journalists as it does to whistle-blowers;

Or. en

Amendment 603

Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Miguel Viegas, Miguel Urbán Crespo, Curzio Maltese, Marina Albiol Guzmán, Matt Carthy, Fabio De Masi

Motion for a resolution

Paragraph 140 e (new)

Motion for a resolution

Amendment

140e. Notes the importance of ensuring that reporting mechanisms are accessible, safe and secure and that instrument to ban any form of retaliation are in place, whether this is passive dismissal or passive measures and that such retaliation is suitably punished;

Or. en

Amendment 604

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 141

Motion for a resolution

141. Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules; notes that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented, such as country-by-country reporting and the regulation of intermediaries;

Amendment

141. Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules; notes that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented, such as country-by-country reporting and the regulation of intermediaries; ***notes that the President of the European Commission has committed to put forward proposals to enhance greater tax cooperation between European Member States through an obligation to answer group requests in tax matters so that one European country can provide all information necessary to others to prosecute cross-border tax evaders and also to make tax reform proposals under Article 116 TFEU, leading to co-decision between the Council and the European Parliament to eliminate distortion of the conditions of competition in the internal market;***

Or. en

Amendment 605
Raymond Finch

Motion for a resolution
Paragraph 141

Motion for a resolution

141. ***Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules;*** notes that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented, such as country-by-country reporting and the regulation of intermediaries;

Amendment

141. notes that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented, such as country-by-country reporting and the regulation of intermediaries;

Or. en

Amendment 606

Pervenche Berès, Emmanuel Maurel, Marju Lauristin, Elly Schlein, Hugues Bayet, Ana Gomes, Peter Simon

Motion for a resolution

Paragraph 141

Motion for a resolution

141. Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules; notes that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented, such as country-by-country reporting and the regulation of intermediaries;

Amendment

141. Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules; notes that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented, such as country-by-country reporting and the regulation of intermediaries, ***or renewed, such as the legislative proposal on the Common Consolidated Corporate Tax Base (CCCTB);***

Amendment 607
Beatrix von Storch

Motion for a resolution
Paragraph 141

Motion for a resolution

141. Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing intermediaries to formally fulfil their duties, such as CDD and other reporting obligations, *while circumventing the spirit of the rules*; notes that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented, *such as country-by-country reporting and the regulation of intermediaries*;

Amendment

141. Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing intermediaries to formally fulfil their duties, such as CDD and other reporting obligations; notes that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented;

Amendment 608
Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution
Paragraph 141

Motion for a resolution

141. Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing *intermediaries* to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules; notes that since then a number of reviews have been carried out, for

Amendment

141. Concludes that the EU legislation in force was not sufficient before the Panama Papers revelations and was not always enforced effectively, thus allowing *enablers and promoters of tax evasion, tax avoidance and money laundering* to formally fulfil their duties, such as CDD and other reporting obligations, while circumventing the spirit of the rules; notes

example on the DAC and the AMLD, and that new legislative proposals have been presented, such as country-by-country reporting and the regulation of *intermediaries*;

that since then a number of reviews have been carried out, for example on the DAC and the AMLD, and that new legislative proposals have been presented, such as country-by-country reporting and the regulation of *enablers and promoters*;

Or. en

Amendment 609

Enrique Calvet Chambon, Petras Auštrevičius

Motion for a resolution

Paragraph 141 a (new)

Motion for a resolution

Amendment

141a. Stresses the need to harmonize the definition of residence at the EU level in order to better identify companies' economic activity suspect of being involved in tax avoidance and evasion activities;

Or. en

Amendment 610

Enrique Calvet Chambon, Petras Auštrevičius

Motion for a resolution

Paragraph 141 b (new)

Motion for a resolution

Amendment

141b. Stresses the need to define the concept of economic activity in order to better assess the freedom of establishment described in art. 49 TFEU, to be able to restrain shell companies' creation and to better identify the benefits they get from the internal market;

Or. en

Amendment 611

Enrique Calvet Chambon, Petras Auštrevičius

Motion for a resolution

Paragraph 141 c (new)

Motion for a resolution

Amendment

141c. Calls on the Commission to draft a proposal to harmonize company law to counter letterbox companies especially to help defining cross-border situations;

Or. en

Amendment 612

Luděk Niedermayer, Dariusz Rosati

Motion for a resolution

Paragraph 142

Motion for a resolution

Amendment

142. Concludes in particular that there has been a significant gradual improvement in terms of having a register of UBOs with accessibility based on legitimate interest; underlines that the ongoing AMLD revision aims to enhance the powers of the **EU** FIUs and to facilitate their cooperation, but that the scope is still too limited and that there is a need to share financial information to tackle all economic crime, but also to trace the proceeds from fraud-linked activities;

142. Concludes in particular that there has been a significant gradual improvement in terms of having a register of UBOs with accessibility based on legitimate interest; underlines that the ongoing AMLD revision aims to enhance the powers of the **Member States** FIUs and to facilitate their cooperation, but that the scope is still too limited and that there is a need to share financial information to tackle all economic crime, but also to trace the proceeds from fraud-linked activities;

Or. en

Amendment 613

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 142

Motion for a resolution

142. Concludes in particular that there has been a significant gradual improvement in terms of having a register of UBOs with accessibility based on legitimate interest; underlines that the ongoing AMLD revision aims to enhance the powers of the EU FIUs and to facilitate their cooperation, but that the scope is still too limited and that there is a need to share financial information to tackle all economic *crime*, but also to trace the proceeds from fraud-linked activities;

Amendment

142. Concludes in particular that there has been a significant gradual improvement in terms of having a register of UBOs with accessibility based on legitimate interest; underlines that the ongoing AMLD revision aims to enhance the powers of the EU FIUs and to facilitate their cooperation, but that the scope is still too limited and that there is a need to share financial information to tackle all economic *crimes*, but also to trace the proceeds from fraud-linked activities;

Or. en

Amendment 614

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 143

Motion for a resolution

143. Concludes that proper identification of UBOs remains a key obstacle to stopping illegal tax avoidance schemes and that the international nature of financial flows and company structures uncovered by the PANA Committee exacerbates this problem;

Amendment

143. Concludes that proper identification of UBOs remains a key obstacle to stopping illegal tax avoidance schemes and that the international nature of financial flows and company structures uncovered by the PANA Committee exacerbates this problem; *sees a strong benefit in setting up full public registers for beneficial owners of companies and trusts to significantly improve scrutiny of unlawful activities;*

Or. en

Amendment 615
Sajjad Karim

Motion for a resolution
Paragraph 143

Motion for a resolution

143. Concludes that proper identification of UBOs *remains a key obstacle to stopping illegal tax avoidance schemes and that the international nature of financial flows and company structures uncovered by the PANA Committee exacerbates this problem;*

Amendment

143. Concludes that proper identification of UBOs *of commercial trusts and similar legal arrangements would be beneficial;*

Or. en

Amendment 616
Angel Dzhambazki, Bernd Lucke

Motion for a resolution
Paragraph 143

Motion for a resolution

143. Concludes that proper identification of UBOs *remains a key obstacle to stopping illegal tax avoidance schemes and that the international nature of financial flows and company structures uncovered by the PANA Committee exacerbates this problem;*

Amendment

143. Concludes that proper identification of UBOs *of commercial trusts and similar legal arrangements would be beneficial;*

Or. en

Amendment 617
Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas, Takis Hadjigeorgiou, Stelios Kouloglou, Marina Albiol Guzmán, Matt Carthy, Fabio De Masi

Motion for a resolution
Paragraph 143 a (new)

Motion for a resolution

Amendment

143a. Concludes that EU AMLD legislation should fully ban bearer shares and that the Member States should implement the complete prohibition and implicitly of all transactions based on “bearer shares”;

Or. en

Amendment 618

Pervenche Berès, Emmanuel Maurel, Emilian Pavel, Hugues Bayet, Paul Tang, Peter Simon

Motion for a resolution

Paragraph 144

Motion for a resolution

144. Stresses that the creativity of tax avoiders is faster than the formulation of legislation and that intermediaries and enablers tend to stay on the right side of the law through creative compliance; highlights in this regard the use of regulatory mismatches between countries as a key enabler of such practices;

Amendment

144. Stresses that the creativity of tax avoiders is faster than the formulation of legislation and that intermediaries and enablers tend to stay on the right side of the law through creative compliance; highlights in this regard the use of regulatory mismatches between countries as a key enabler of such practices; ***believes that any new legislative proposal in the field of taxation should clearly include this consideration;***

Or. en

Amendment 619

Beatrix von Storch

Motion for a resolution

Paragraph 144

Motion for a resolution

144. Stresses that the creativity of tax avoiders is faster than the formulation of legislation and that intermediaries and enablers tend to stay on the right side of the

Amendment

144. Stresses that the creativity of tax avoiders is faster than the formulation of legislation and that intermediaries and enablers tend to stay on the right side of the

law through creative compliance;
highlights in this regard the use of
regulatory mismatches between countries
as a key enabler of such practices;

law through creative compliance;
highlights in this regard the use of
regulatory mismatches between countries
as a key enabler of such practices; ***stresses
the importance of regulatory competition
for a free society;***

Or. en

Amendment 620

Miguel Viegas, Miguel Urbán Crespo, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 144

Motion for a resolution

144. Stresses that the creativity of tax avoiders is faster than the formulation of legislation and that ***intermediaries*** and enablers tend to stay on the right side of the law through creative compliance; highlights in this regard the use of regulatory mismatches between countries as a key enabler of such practices;

Amendment

144. Stresses that the creativity of tax avoiders is faster than the formulation of legislation and that ***promoters*** and enablers ***of tax avoidance, tax evasion and money laundering*** tend to stay on the right side of the law through creative compliance; highlights in this regard the use of regulatory mismatches between countries as a key enabler of such practices;

Or. en

Amendment 621

Monica Macovei, Pirkko Ruohonen-Lerner, Maite Pagazaurtundúa Ruiz, Fabio De Masi, Sven Giegold

Motion for a resolution

Paragraph 144 a (new)

Motion for a resolution

Amendment

144a. Concludes that EU AMLD legislation should fully ban bearer shares and that the Member States should implement the complete prohibition and implicitly all transactions based on

“bearer shares”; *Calls upon the Commission to put in place a mechanism of penalties against those Member States which allow “bearer shares” with or without restrictions before the EU prohibition of bearer shares enters into force;*

Or. en

Amendment 622

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 144 a (new)

Motion for a resolution

Amendment

144a. *Notes that for the purpose of tackling tax evasion and other related illicit activities an identification of the activities and players needs to be made, highlighting banking system and wealth managers, as well as auditors, tax and legal advisors, which fulfil a necessary enabler and facilitator role;*

Or. en

Amendment 623

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 144 b (new)

Motion for a resolution

Amendment

144b. *Notes that all audit firms should be required to be entirely separate from those selling any other service;*

Or. en

Amendment 624

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 144 c (new)

Motion for a resolution

Amendment

144c. Notes that EU's existing definition of the control required to create a group of companies should be applied to accountancy firms that are member of a network of firms associated by legally enforceable contractual arrangements that provide for the sharing of a name or marketing, professional standards, clients, support services, finance or professional indemnity insurance arrangements; as anticipated by the 2013 Directive 2013/34/EU on annual financial statements;

Or. en

Amendment 625

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 144 d (new)

Motion for a resolution

Amendment

144d. Notes that any network of professional services firms should be required to apply for a single license in the jurisdiction where the parent, or the largest EU-based entity, operates to provide audit and taxation services of any sort throughout the EU Member States; and all abusive tax schemes promoted by the firm that impact on the tax revenues of any EU Member State should be

reported whether sold by a network member within or outside the EU;

Or. en

Amendment 626

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 144 e (new)

Motion for a resolution

Amendment

144e. Notes that professional networks subject to these arrangements should be required to file full country-by-country reports, adapted to meet the particular needs of this sector, on public record;

Or. en

Amendment 627

Beatrix von Storch

Motion for a resolution

Paragraph 145

Motion for a resolution

Amendment

145. Concludes that wealth management remains a largely unregulated profession and that binding international rules and standards should be established to better regulate and define this group;

deleted

Or. en

Amendment 628

Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 145

Motion for a resolution

145. Concludes that wealth management remains a largely unregulated profession and that binding international rules and standards should be established ***to better regulate and define this group;***

Amendment

145. Concludes that wealth management remains a largely unregulated profession and that binding international rules and standards should be established;

Or. de

Amendment 629
Beatrix von Storch

Motion for a resolution
Paragraph 146

Motion for a resolution

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell companies in third countries;

deleted

Amendment

Or. en

Amendment 630
Evelyn Regner, Peter Simon, Emmanuel Maurel, Marju Lauristin, Elly Schlein, Hugues Bayet, Paul Tang

Motion for a resolution
Paragraph 146

Motion for a resolution

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama

Amendment

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama

Papers successfully *circumvent* this basic principle and that a dedicated EU approach is *therefore* needed to combat shell companies *in third countries*;

Papers successfully *circumvents* this basic principle and that, *if implemented as a package, the Common Corporate Consolidated Tax Base (CCCTB) will make it possible to attribute income to where the value is created and therefore will solve the issue of transfer pricing and ensure a more fair competition, as well as* a dedicated EU approach is needed to combat shell companies; *urges further the Council to reach a common agreement on the proposal on public country-by-country-reporting to enter into negotiations with the other institutions in order to adopt a public CBCR, one of the key measures to find greater transparency on tax information of companies for all citizens*;

Or. en

Amendment 631
Thierry Cornillet

Motion for a resolution
Paragraph 146

Motion for a resolution

146. Notes that taxes should be levied at the point and place of profit creation; *concludes that* the actions and financial constructions revealed in the Panama Papers successfully *circumvent* this basic principle *and that a dedicated* EU approach *is therefore needed to combat shell companies in third countries*;

Amendment

146. Notes that taxes should be levied at the point and place of profit creation; *deplores the fact that European Union legislation did not make it possible to prevent* the actions and financial constructions revealed in the Panama Papers, *which* successfully *circumvented this basic principle; concludes that it is necessary to adopt a common* EU approach *to put an end once and for all to practices designed to avoid paying the tax due in the EU, based on transparency of ultimate beneficiaries and the principle of minimum effective taxation*;

Or. fr

Amendment 632

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 146

Motion for a resolution

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell companies in third countries;

Amendment

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell companies in third countries; ***welcomes, therefore, the Commission proposal for a Common Consolidated Corporate Tax Base and urges the Member States to swiftly come to an agreement;***

Or. en

Amendment 633

Enrique Calvet Chambon, Petras Auštrevičius

Motion for a resolution Paragraph 146

Motion for a resolution

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell companies in third countries;

Amendment

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell companies in third countries ***and third tax jurisdictions dependent of a EU Member State;***

Amendment 634
Raymond Finch

Motion for a resolution
Paragraph 146

Motion for a resolution

146. ***Notes that taxes should be levied at the point and place of profit creation;*** concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated ***EU*** approach is therefore needed to combat shell companies in third countries;

Amendment

146. concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated approach is therefore needed to combat shell companies in third countries;

Amendment 635
Werner Langen, Sven Schulze

Motion for a resolution
Paragraph 146

Motion for a resolution

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated ***EU*** approach is therefore needed to combat shell companies in third countries;

Amendment

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated approach ***by the EU and its Member States*** is therefore needed to combat shell companies in third countries;

Amendment 636

Sergio Gaetano Cofferati, Emmanuel Maurel, Emilian Pavel, Juan Fernando López Aguilar, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon, Nessa Childers

Motion for a resolution
Paragraph 146

Motion for a resolution

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell *companies in third countries*;

Amendment

146. Notes that taxes should be levied at the point and place of profit creation; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell ***and letter-box companies***;

Or. en

Amendment 637
Lud k Niedermayer, Dariusz Rosati

Motion for a resolution
Paragraph 146

Motion for a resolution

146. Notes that taxes should be ***levied at the point and place of profit creation***; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell companies in third countries;

Amendment

146. Notes that taxes should be ***paid where profits are generated***; concludes that the actions and financial constructions revealed in the Panama Papers successfully circumvent this basic principle and that a dedicated EU approach is therefore needed to combat shell companies in third countries;

Or. en

Amendment 638
Evelyn Regner, Peter Simon, Emmanuel Maurel, Marju Lauristin, Elly Schlein, Hugues Bayet, Ana Gomes, Paul Tang

Motion for a resolution
Paragraph 146 a (new)

Motion for a resolution

Amendment

146a. *Stresses that for taking the digitalisation of the business environment fully into account, it is necessary to define a concept of digital business establishments to ensure that companies which raise revenues in one Member State without having a physical establishment in that Member State are treated the same way as companies with a physical business establishments; calls therefore on the Commission to cover digital businesses in all European anti-tax avoidance and tax-related measures;*

Or. en

Amendment 639

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 146 a (new)

Motion for a resolution

Amendment

146a. *Calls on the Commission to launch an initiative at international level to ban shell companies where full transparency regarding their actual owner is not guaranteed and ensure that no more than ten shell companies are assigned to any one director.*

Or. de

Amendment 640

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Marina Albiol Guzmán, Stelios Kouloglou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 146 a (new)

Motion for a resolution

Amendment

146a. Urges EU institutions to foster a route towards fiscal harmonization, concerning the treatment of tax bases and effective corporate tax rates at a minimum level of 25% throughout the EU;

Or. en

Amendment 641

Miguel Urbán Crespo, Fabio De Masi, Marina Albiol Guzmán, Stelios Kouloglou, Patrick Le Hyaric, Curzio Maltese, Miguel Viegas

**Motion for a resolution
Paragraph 146 b (new)**

Motion for a resolution

Amendment

146b. Concludes that the most effective way to put a floor under global tax competition would be to set a minimum effective rate of corporate income tax measured by the total income taxes paid by a corporation over its total profits, because effective rates can often be much lower than statutory rates; however, this such agreement on a minimum effective tax rates requires a global tax body where ALL countries are equally represented^{1a};

^{1a} 'Four ways to tackle tax competition', ICRICT, November 2016.

Or. en

Amendment 642

Romana Tomc

**Motion for a resolution
Paragraph 147**

Motion for a resolution

Amendment

147. Concludes that this was made possible by insufficient implementation of legislation by the Member States and insufficient enforcement by the Commission;

147. Concludes that this was made possible by insufficient implementation of legislation by the Member States and insufficient enforcement by the Commission; *regrets that due to political reasons sometimes even the legislation or the sufficient number of people do not assure the implementation of legislation;*

Or. en

Amendment 643

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 147

Motion for a resolution

147. Concludes that this was made possible by insufficient implementation of legislation by the Member States and insufficient enforcement by the Commission;

Amendment

147. Concludes that this was made possible by insufficient implementation of legislation by the Member States and insufficient enforcement by the Commission; *notes that the Commission has potentially failed to enforce Union law by not initiating infringement procedures despite clear evidence of breaches;*

Or. en

Amendment 644

Enrique Calvet Chambon, Petras Auštrevičius

Motion for a resolution Paragraph 147

Motion for a resolution

147. Concludes that this was made possible by insufficient implementation of

Amendment

147. Concludes that this was made possible by insufficient implementation of

legislation by the Member States and insufficient enforcement by the Commission;

legislation by the Member States and insufficient enforcement by the Commission, *which should put in place further proposals on automatic exchange of information between tax jurisdictions among others*;

Or. en

Amendment 645

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 147

Motion for a resolution

147. Concludes that this was made possible by insufficient implementation of legislation by the Member States and insufficient enforcement by the Commission;

Amendment

147. Concludes that this was made possible by *inappropriate design and* insufficient implementation of legislation by the Member States and insufficient enforcement by the Commission;

Or. en

Amendment 646

Ana Gomes, Emmanuel Maurel, Elly Schlein, Hugues Bayet, Evelyn Regner, Peter Simon

Motion for a resolution

Paragraph 147 a (new)

Motion for a resolution

Amendment

147a. Finds that Overseas Countries and Territories linked to Member States, some of which appear in the Panama Papers, lack the necessary infrastructure, financial resources and human capacity to ensure local oversight of the financial sector^{1a};

^{1a} Tax evasion, money laundering and tax transparency in the EU Overseas Countries and Territories, Dr Isabelle Ioannides and Jan Tymowski, European Parliamentary Research Service (EPRS), April 2017.

Or. en

Amendment 647

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 148

Motion for a resolution

148. Notes that the Commission is not sufficiently equipped in terms of resources to ensure full enforcement of EU legislation against money laundering, tax evasion and tax avoidance;

Amendment

148. Notes that the Commission is not sufficiently equipped in terms of resources to ensure full enforcement of EU legislation against money laundering, tax evasion and tax avoidance; *notes that the President of the European Commission has committed to allocate more resources to the European Commission Task Force to prevent financial crimes; welcomes the Commission roadmap “Towards a new methodology for the EU assessment of High Risk Third Countries under Directive (UE) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing” of 29 June 2017 as an important step forward to come to a credible EU list of high-risk third countries;*

Or. en

Amendment 648
Sajjad Karim

Motion for a resolution
Paragraph 148

Motion for a resolution

148. *Notes* that the Commission *is not sufficiently equipped in terms of resources* to ensure full enforcement of EU legislation against money laundering, tax evasion and tax avoidance;

Amendment

148. *Stresses* that the Commission *should not duplicate efforts being taken at a global level* to ensure full enforcement of EU legislation against money laundering, tax evasion and tax avoidance;

Or. en

Amendment 649
Angel Dzhambazki, Bernd Lucke

Motion for a resolution
Paragraph 148

Motion for a resolution

148. *Notes* that the Commission *is not sufficiently equipped in terms of resources* to ensure full enforcement of EU *legislation against* money laundering, tax evasion and tax avoidance;

Amendment

148. *Stresses* that the Commission *should not duplicate efforts being taken at a global level* to ensure full enforcement of EU *legislation against* money laundering, tax evasion and tax avoidance;

Or. en

Amendment 650
Beatrix von Storch

Motion for a resolution
Paragraph 148

Motion for a resolution

148. *Notes* that the Commission is *not sufficiently equipped in terms of resources to ensure full enforcement of* EU legislation against money laundering, tax evasion and tax avoidance;

Amendment

148. *Notes* that the Commission is *misallocating resources and not sufficiently enforcing* EU legislation against money laundering, tax evasion and tax avoidance;

Or. en

Amendment 651

Evelyn Regner, Peter Simon, Emmanuel Maurel, Sergio Gaetano Cofferati, Tibor Szanyi, Hugues Bayet, Ana Gomes

Motion for a resolution

Paragraph 148 a (new)

Motion for a resolution

Amendment

148a. Regrets that tax policy issues at Council level are often blocked by individual Member States, in order to protect tax havens, calls therefore for the abolishment of the principle of unanimity of the Member States in tax matters in order to make progress in the fight for tax justice and reduce the burden on EU citizens;

Or. en

Amendment 652

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 149

Motion for a resolution

Amendment

149. Concludes that FIUs are key instruments to fight money laundering; observes, however, the differing structures across the EU and the fact that they are not sufficiently equipped with personnel to cope with their tasks, including examining the increasing number of STRs driven by new legislation, and that they can deal only with a fraction of the problem;

149. Concludes that FIUs are key instruments to fight money laundering; observes, however, the differing structures across the EU and the fact that they are not sufficiently equipped with personnel to cope with their tasks, including examining the increasing number of STRs driven by new legislation, and that they can deal only with a fraction of the problem; ***concludes that Member State institutions in charge of implementing and enforcing rules as regards tax fraud and money laundering need to be entirely independent from***

political influence; concludes the necessity to ensure that investigations carried out by FIUs are followed-up through criminal investigations by the police if the situation so warrants, otherwise inaction of the police has to be qualified as maladministration;

Or. en

Amendment 653

Romana Tomc

Motion for a resolution

Paragraph 149

Motion for a resolution

149. Concludes that FIUs are key instruments to fight money laundering; observes, however, the differing structures across the EU and the fact that they are not sufficiently equipped with personnel to cope with their tasks, including examining the increasing number of STRs driven by new legislation, and that they can deal only with a fraction of the problem;

Amendment

149. Concludes that FIUs are key instruments to fight money laundering; observes, however, the differing structures across the EU and the fact that they are not sufficiently equipped with personnel to cope with their tasks, including examining the increasing number of STRs driven by new legislation, and that they can deal only with a fraction of the problem; *regrets that in many cases FIUs are politically biased;*

Or. en

Amendment 654

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 149 a (new)

Motion for a resolution

Amendment

149a. Notes that the difficulties in sharing information between FIUs and the difficulties in using information extracted from STRs (suspicious

transaction reports) and SARs (suspicious activity reports) arise partially as a consequence of the unequal evolution of FIUs in different parts of the world;

Or. en

Amendment 655

Miguel Urbán Crespo, Miguel Viegas, Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese

Motion for a resolution

Paragraph 149 b (new)

Motion for a resolution

Amendment

149b. Notes that the purpose limitation of the use of the information exchanged by FIUs should be reviewed and unified at the EU and global level, in order to allow for information to be used for tackling tax crimes and for evidence purpose;

Or. en

Amendment 656

Alain Lamassoure

Motion for a resolution

Paragraph 150

Motion for a resolution

Amendment

150. Concludes that sanctions are not always applied or deterrent enough in relevant cases;

150. Concludes that sanctions are not always applied or deterrent enough in relevant cases; *deplores the fact, in this context, that Member States continue to oppose the imposition by the European Union of sanctions on third countries whose tax systems are regarded as damaging to the Union; concludes that consequently the Council of the Union should adopt defensive measures that are simultaneously coordinated and effective*

and act as a deterrent against non-cooperative tax jurisdictions which it places on the Union list;

Or. fr

Amendment 657
Thierry Cornillet

Motion for a resolution
Paragraph 150

Motion for a resolution

150. Concludes that sanctions are not always applied or deterrent enough in relevant cases;

Amendment

150. Concludes that sanctions are not always applied or deterrent enough in relevant cases; ***considers that consequently the Union should adopt defensive measures that are simultaneously coordinated and effective and act as a deterrent against non-cooperative tax jurisdictions which it places on the Union list;***

Or. fr

Amendment 658
Romana Tomc

Motion for a resolution
Paragraph 150

Motion for a resolution

150. Concludes that sanctions are not always applied or deterrent enough in relevant cases;

Amendment

150. Concludes that sanctions are not always applied or deterrent enough in relevant cases; ***notes that cases are time-barred many times and calls on MS to enforce the rule of law;***

Or. en

Amendment 659

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 151

Motion for a resolution

151. Concludes that on the basis of the PANA Committee findings, several cases of maladministration of EU legislation can be identified, namely regarding **the DAC, the AMLD and the** list of third countries with strategic deficiencies in their anti-money laundering regimes;

Amendment

151. Concludes that on the basis of the PANA Committee findings, several cases of maladministration of EU legislation can be identified, namely regarding:
· ***failure of Member States authorities to communicate spontaneously tax information to another Member State in case of grounds for supposing that there may be a loss of tax in the other Member States (Article 9(1) of DAC) and failure of the European Commission to ensure effective implementation of DAC***
· ***failure of Member States authorities to act upon the evidence of serious and persistent failure to identify beneficial owners in the context of customer due diligence and to require that the verification of the identity of the customer and the beneficial owner takes place before the establishment of a business relationship or the carrying-out of the transaction (Article 8(1)(b) , Article9(1) of AMLD III) and failure of the European Commission to ensure effective implementation of AMLD III;***
· ***failure of Member States authorities to ensure that AML obliged entities can be held liable for infringements of the national provisions, including reporting of beneficial ownership information to competent authorities (Article 39(1) of AMLDIII) and failure of the European Commission to ensure effective implementation of AMLD III;***
· ***failure of the Commission to provide a*** list of third countries with strategic deficiencies in their anti-money laundering regimes;

· *failure of Member States authorities to apply administrative penalties and other administrative measures to institutions found liable of serious breach of the national provisions adopted pursuant to AMLD III, as required by Article 67(1)(o) and Article 67(2) of Directive 2013/36/EU (CRD IV) and failure of the European Commission to ensure effective implementation of CRD IV;*
 · *failure of Member States to cooperate sincerely in the framework of the Code of Conduct Group on Business taxation and failure to abide by the principle of sincere cooperation, as required by Article IV of the TFEU; failure of the European Commission to act as Guardian of the Treaty;*

Or. en

Amendment 660

Fabio De Masi, Matt Carthy, Marina Albiol Guzmán, Stelios Kouloglou, Takis Hadjigeorgiou, Patrick Le Hyaric, Curzio Maltese, Miguel Urbán Crespo, Miguel Viegas

Motion for a resolution Paragraph 151

Motion for a resolution

151. Concludes that on the basis of the PANA Committee findings, several cases of maladministration of EU legislation can be identified, namely regarding the DAC, the AMLD and the list of third countries with strategic deficiencies in their anti-money laundering regimes;

Amendment

151. Concludes that on the basis of the PANA Committee findings, several cases of maladministration of EU legislation can be identified, namely regarding the DAC; *failure of Member States to cooperate sincerely in the framework of the Code of Conduct Group on Business taxation and failure to abide by the principle of sincere cooperation, as required by Article IV of the TFEU; failure of the European Commission to act as Guardian of the Treaty;* the AMLD and the list of third countries with strategic deficiencies in their anti-money laundering regimes;

Amendment 661

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 152

Motion for a resolution

152. Regrets the lack of cooperation of certain EU institutions with the PANA Committee; **believes** that this constitutes a breach of the principle of sincere cooperation;

Amendment

152. Regrets the lack of cooperation of certain EU institutions with the PANA Committee; **States** that this constitutes a breach of the principle of sincere cooperation;

Amendment 662

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 153

Motion for a resolution

153. Concludes that the closed and secretive nature of the Council's Code of Conduct Group on Business Taxation is detrimental to the effective and expeditious formulation, adoption and implementation of vital anti-tax evasion legislation within the EU; underlines, therefore, the need for improved accountability and transparency regarding the actions, statements and positions of the Member States engaged in the group;

Amendment

153. Concludes that the closed and secretive nature **as well as the inefficient decision rules based on broad consensus** of the Council's Code of Conduct Group on Business Taxation is detrimental to the effective and expeditious formulation, adoption and implementation of vital anti-tax evasion legislation within the EU; underlines, therefore, the need for improved accountability and transparency regarding the actions, statements and positions of the Member States engaged in the **group and for revising the inefficient decision rules of the Code of Conduct**

Group;

Or. en

Amendment 663

Thierry Cornillet

Motion for a resolution

Paragraph 153

Motion for a resolution

153. Concludes that the ***closed and secretive*** nature of the Council's Code of Conduct Group on Business Taxation ***is*** detrimental to the effective and expeditious formulation, adoption and implementation of vital anti-tax evasion legislation within the EU; underlines, therefore, the need for improved accountability and transparency regarding the actions, statements and positions of the Member States ***engaged in the group***;

Amendment

153. Concludes that the ***legal*** nature of the Council's Code of Conduct Group on Business Taxation ***and the lack of progress in the discussions on certain subjects within it are*** detrimental to the effective and expeditious formulation, adoption and implementation of vital anti-tax evasion legislation ***and decisions*** within the EU; underlines, therefore, the need for improved accountability and transparency regarding the actions, statements and positions of the Member States ***on the subject***;

Or. fr

Amendment 664

Lud k Niedermayer, Dariusz Rosati

Motion for a resolution

Paragraph 153

Motion for a resolution

153. Concludes that the closed and secretive nature of the Council's Code of Conduct Group on Business Taxation is detrimental to the effective and expeditious formulation, adoption and implementation of vital anti-tax evasion legislation within the EU; underlines, therefore, the need for improved accountability and transparency regarding the actions, statements and positions of the Member States engaged in

Amendment

153. Concludes that the closed and secretive nature of the Council's Code of Conduct Group on Business Taxation is detrimental to the effective and expeditious formulation, adoption and implementation of vital anti-tax evasion legislation within the EU; underlines, therefore, the need for improved accountability and transparency regarding the actions, statements and positions of the Member States engaged in

the group;

the group *via thorough reform*;;

Or. en

Amendment 665

Pervenche Berès, Emmanuel Maurel, Sergio Gaetano Cofferati, Tibor Szanyi, Hugues Bayet, Evelyn Regner, Ana Gomes, Peter Simon

Motion for a resolution

Paragraph 153 a (new)

Motion for a resolution

Amendment

153a. Confirms that the unanimity requirement within the Council to amend or adopt any legislation in the field of taxation is part of the problem and creates a direct threat to the financial interests of the Union and the Single Market;

Or. en

Amendment 666

Werner Langen, Sven Schulze

Motion for a resolution

Paragraph 154

Motion for a resolution

Amendment

154. Deeply regrets that a high number of stakeholders have refused to meet with PANA delegations or refused to appear before the PANA Committee, or did not answer questions in a satisfactory manner;

154. Regrets stakeholders, in particular intermediaries, invited to appear before the PANA Committee either refused to do so or did not answer questions in a satisfactory manner;

Or. de

Amendment 667

Molly Scott Cato, Eva Joly, Sven Giegold, Pascal Durand, Ernest Urtasun, Heidi Hautala, Michel Reimon, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 155

Motion for a resolution

155. Concludes, therefore, that a number of questions remain unanswered in order to fully ascertain the scale of this issue and the methods employed in these schemes.

Amendment

155. Concludes, therefore, that a number of questions remain unanswered in order to fully ascertain the scale of this issue and the methods employed in these schemes ***and suggests the continuation of the inquiry tasks within a permanent committee or high level working group within the European Parliament;***

Or. en