

Brussels, **06 JUIN 2018**

Dear Chairman,

Thank you for your letter of 13 April 2018, related to the work of the newly established Special Committee on Financial Crimes, Tax Evasion and Tax Avoidance (TAX3).

We would like to take advantage of this occasion to congratulate you on your appointment as Chairman of the TAX3 Special Committee. As a former co-rapporteur of the Committee of inquiry to investigate alleged contraventions and maladministration in the application of Union law in relation to money laundering, tax avoidance and tax evasion (PANA), your experience will be highly useful to lead the work of TAX3 towards our common goal of fighting against money laundering, tax evasion and tax avoidance. In this regard, I am confident that the European Parliament will continue to exercise the necessary political pressure to take our fair taxation agenda forward.

In your letter you propose to conclude an "Arrangement for the examination of non-classified confidential documents (Other confidential information)" to facilitate the investigation and suggest that the TAX3 Special Committee is given access to the documents that were made available to the PANA Inquiry Committee but not yet taken back by the Commission. Finally, you request access to a number of documents (documents "not yet received by the PANA Committee and complementary documents").

We are happy to conclude an "Arrangement for the examination of non-classified confidential documents", but suggest amending your proposal as follows:

- Article 1: Non-classified confidential documents which the European Commission has put at the disposal of the European Parliament for the purpose of consultation by the TAX3 Committee.
- Paragraph 3 of Article 3: It will [...] in line with point 3.2 of the Annex II of the Framework Agreement.

The amended version is attached and we would be grateful if you could agree to it and countersign it at your earliest convenience. After the signature of the Confidentiality Arrangement, the relevant services will take contact with your secretariat to set up the practical details.

Petr Ježek
Chairman of TAX3 Committee
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In respect of the documents delivered to the PANA Inquiry Committee and still in the possession of the Parliament, we agree to grant access to the TAX3 Special Committee, despite the different nature of the two Committees, subject to the conclusion of the attached Confidentiality Arrangement. Having access to the documents which the Commission has provided to the PANA Inquiry Committee for the purposes of the TAX3 Special Committee is without prejudice to the Commission's obligations under the respective applicable rules. A detailed transfer protocol of the documents will be drafted by the Commission services concerned.

Finally, on behalf of the Commission, we can reassure you that the relevant services have been instructed to start a thorough assessment of your request for access to documents, and ensure a swift delivery of the relevant documents. This assessment will be done in accordance with the established criteria for processing broad access to document requests.

As regards your specific request for documents "not yet received by the PANA Committee", we understand that you are referring to any documents that may have been requested but were not delivered to the PANA Inquiry Committee. I would like to assure you that we consider that all relevant documents were provided to the PANA Inquiry Committee in response to their requests and that there are no outstanding documents to deliver in this respect.

We of course remain at your disposal and look forward to continuing our fruitful cooperation.

Yours sincerely,



Pierre Moscovici



Věra Jourová

Annex: Draft arrangement for the examination of non-classified confidential documents (Other confidential information - OCI)