



2018/2121(INI)

20.12.2018

AMENDMENTS

650 - 962

Draft report

Jeppe Kofod, Luděk Niedermayer
(PE627.890v01-00)

Report on Financial Crimes, Tax Evasion and Tax Avoidance
(2018/2121(INI))

AM_Com_NonLegReport

Amendment 650

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 90

Motion for a resolution

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; *notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta and Cyprus have schemes⁵⁹ among those that potentially pose a high risk to the integrity of CRS;*

⁵⁹ *The Cypriot Citizenship by Investment: Scheme for Naturalisation of Investors by Exception, the Cypriot Residence by Investment, the Maltese Individual Investor Programme, and the Maltese Residence and Visa programme.*

Amendment

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution;

Or. en

Amendment 651

Lefteris Christoforou

Motion for a resolution

Paragraph 90

Motion for a resolution

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta *and Cyprus have schemes*⁵⁹ *among those* that potentially *pose* a high risk to the integrity of CRS;

⁵⁹ The *Cypriot Citizenship by Investment: Scheme for Naturalisation of Investors by Exception, the Cypriot Residence by Investment*, the Maltese Individual Investor Programme, and the Maltese Residence and Visa programme.

Amendment

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta *has a scheme*⁵⁹ that potentially *poses* a high risk to the integrity of CRS;

⁵⁹ The Maltese Individual Investor Programme, and the Maltese Residence and Visa programme

Or. el

Amendment 652
Alfred Sant

Motion for a resolution
Paragraph 90

Motion for a resolution

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or

Amendment

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incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta and Cyprus have schemes⁵⁹ among those that potentially pose a high risk to the integrity of CRS;

incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta and Cyprus have schemes⁵⁹ among those that potentially pose a high risk to the integrity of CRS; ***accepts however that proper grounds for such concerns need to be evidence based and recognizes that no such evidence has been presented at this stage for Malta, apart from allegations and conjectures, for otherwise that evidence would have been appended to this report; notes that Maltese authorities have provided information about the multi-stage due diligence and assessment processes they follow when processing applications for citizenship and that no evidence has been presented to show that it is defective; accepts too that policy directions in the taxation area cannot be solely pinned to statements based on "coulds" but need to make definitive statements on outcomes that have actually been recorded;***

⁵⁹ The Cypriot Citizenship by Investment: Scheme for Naturalisation of Investors by Exception, the Cypriot Residence by Investment, the Maltese Individual Investor Programme, and the Maltese Residence and Visa programme.

⁵⁹ The Cypriot Citizenship by Investment: Scheme for Naturalisation of Investors by Exception, the Cypriot Residence by Investment, the Maltese Individual Investor Programme, and the Maltese Residence and Visa programme.

Or. en

Amendment 653

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé

on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 90

Motion for a resolution

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta and Cyprus have schemes⁵⁹ among those that potentially pose a high risk to the integrity of CRS;

⁵⁹ The Cypriot Citizenship by Investment: Scheme for Naturalisation of Investors by Exception, the Cypriot Residence by Investment, the Maltese Individual Investor Programme, and the Maltese Residence and Visa programme.

Amendment

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta and Cyprus have schemes⁵⁹ among those that potentially pose a high risk to the integrity of CRS; ***notes with concern that Member States that offer this kind of schemes and refuse at the same time to receive information from other non-EU Member States via CRS create a loophole in automatic exchange of information systems;***

⁵⁹ The Cypriot Citizenship by Investment: Scheme for Naturalisation of Investors by Exception, the Cypriot Residence by Investment, the Maltese Individual Investor Programme, and the Maltese Residence and Visa programme.

Or. en

Amendment 654
Louis Michel

Motion for a resolution
Paragraph 90

Motion for a resolution

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta and Cyprus have schemes⁵⁹ among those that potentially pose a high risk to the integrity of CRS;

⁵⁹ The Cypriot Citizenship by Investment: Scheme for Naturalisation of Investors by Exception, the Cypriot Residence by Investment, the Maltese Individual Investor Programme, and the Maltese Residence and Visa programme.

Amendment

90. Is concerned that according to the OECD, CBI and RBI schemes could be misused to undermine the common reporting standard (CRS) due diligence procedures, leading to inaccurate or incomplete reporting under the CRS, in particular when not all jurisdictions of tax residence are disclosed to the financial institution; notes that in the OECD's view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta and Cyprus *in particular* have schemes⁵⁹ among those that potentially pose a high risk to the integrity of CRS;

⁵⁹ The Cypriot Citizenship by Investment: Scheme for Naturalisation of Investors by Exception, the Cypriot Residence by Investment, the Maltese Individual Investor Programme, and the Maltese Residence and Visa programme.

Or. fr

Amendment 655
Barbara Kappel

Motion for a resolution
Paragraph 91

Motion for a resolution

91. *Concludes that the potential*

Amendment

91. stresses that Member States should

economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes ***until they are repealed in each Member State;***

properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes;

Or. en

Amendment 656
Emil Radev

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that ***the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime,*** Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes ***until they are repealed*** in each Member State;

Amendment

91. Concludes that Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes in each Member State;

Or. bg

Amendment 657
Lefteris Christoforou

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; ***calls on Member States to phase out all existing CBI or RBI schemes as soon as possible***; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes ***until they are repealed in each Member State***;

Amendment

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes;

Or. el

Amendment 658
Alfred Sant

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; ***calls on Member States to phase out all existing CBI or RBI schemes as soon as possible***; stresses that, in the meantime, Member States should properly

Amendment

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present ***but understands that contrary views also prevail, especially given the lack of evidence based claims about such risks***; stresses that, in the meantime,

ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Or. en

Amendment 659

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; calls on Member States to ***phase out all*** existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, ***as required by AMLD5***; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Amendment

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; calls on Member States to ***ban*** existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, ***and monitored by competent authorities; and urges the Commission to identify legislative instruments to set and impose EU – wide harmonised standards of these schemes; calls on Member States to ensure that competent authorities bear the ultimate responsibility for assessing due diligence findings and decision-making, and make explicit the name and the nationalities of the individuals who are granted citizenship or residency under these schemes***; calls on the Commission to monitor rigorously and continuously the

proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State ***and start infringement procedures***;

Or. en

Amendment 660
Tom Vandenkendelaere

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; ***calls on Member States to phase out all existing CBI or RBI schemes as soon as possible***; stresses that, ***in the meantime***, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes ***until they are repealed in each Member State***;

Amendment

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; stresses that Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; ***stresses that AMLD5 outlines enhanced due-diligence for politically exposed persons (PEPs)***; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes; ***CDD in the context of CBI and RBI schemes should aim to establish the suitability of applicants, ensure the sources of the wealth which will be invested in the scheme originate from legitimate means, and uncover any risk factors which may negatively impact the programme's integrity***;

Or. en

Amendment 661
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering **and** tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Amendment

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering, tax evasion **and security** risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, **and the work of the competent authorities monitored**, as required by AMLD5; **calls, furthermore, on the Commission to identify legislative instruments that set EU-wide uniform standards for CBI and RBI schemes; calls on the Member States to ensure that competent authorities have ultimate responsibility for assessing the due diligence processes and decisions**; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Or. fi

Amendment 662
Monica Macovei

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money

Amendment

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money

launders and tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, *as required by AMLD5*; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

launders and tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, *and monitored by competent authorities; and urges the Commission to identify legislative instruments to set and impose EU – wide harmonised standards of these schemes; calls on Member States to ensure that competent authorities bear the ultimate responsibility for assessing due diligence findings and decision-making*; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Or. en

Amendment 663
Anne Sander

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that *enhanced CDD on* applicants for citizenship or residence through these schemes is *duly carried out*, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of

Amendment

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States *and obliged entities* should, *when carrying out their assessment of money laundering and terrorist financing risks*, properly ensure that *the risk posed by* applicants for citizenship or residence through these schemes is *taken into account*, as required

CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Or. fr

Amendment 664
Roberts Zile

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Amendment

91. Concludes that the potential, *yet questionable* economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion *and potential security* risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Or. en

Amendment 665
Louis Michel

Motion for a resolution
Paragraph 91

Motion for a resolution

91. Concludes that the potential economic benefits of CBI and RBI schemes do not offset the serious money laundering and tax evasion risks they present; calls on Member States to phase out all existing CBI or RBI schemes as soon as possible; stresses that, in the meantime, Member States should properly ensure that enhanced CDD on applicants for citizenship or residence through these schemes is duly carried out, as required by AMLD5; calls on the Commission to monitor rigorously and continuously the proper implementation and application of CDD within the framework of CBI and RBI schemes until they are repealed in each Member State;

Amendment

(Does not affect the English version.)

Or. fr

Amendment 666

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 91 a (new)

Motion for a resolution

Amendment

91 a. Notes that the acquisition of citizenship of a Member State gives the grantee access to a wide range of rights and entitlements in the entire territory of the Union, including the right to move and reside freely; calls thus on Member States implementing CBI and RBI programmes, until they are finally repealed, to duly verify the character of the applicants and refuse their application if they present security risks, including money laundering; calls in this context Member States to compile and publish transparent data related to their CBI and RBI schemes, including the number of refusals and the reasons for denial; calls

on the Commission to ensure better data collection and exchange of information among Member States in the context of their CBI and RBI schemes, including on applicants who have had their application denied due to security issues;

Or. en

Amendment 667

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 92

Motion for a resolution

92. Calls on Member States to prevent conflicts of interest linked to CBI and RBI schemes, which might arise when private firms which assisted the government in the design, management and promotion of these schemes, also advised and supported individuals by screening them for suitability and filing their applications for citizenship or residence;

Amendment

92. Calls on Member States to prevent conflicts of interest linked to CBI and RBI schemes, which might arise when private firms which assisted the government in the design, management and promotion of these schemes, also advised and supported individuals by screening them for suitability and filing their applications for citizenship or residence; ***calls on Member States to require physical presence in the country as a condition for benefiting from CBI and RBI schemes before the phase out;***

Or. en

Amendment 668

Wolf Klinz, Thierry Cornillet, Petr Ježek, Nils Torvalds, Louis Michel

Motion for a resolution
Paragraph 92

Motion for a resolution

92. Calls on Member States to prevent conflicts of interest linked to CBI and RBI

Amendment

92. Calls on Member States to prevent conflicts of interest linked to CBI and RBI

schemes, which might arise when private firms which assisted the government in the design, management and promotion of these schemes, also advised and supported individuals by screening them for suitability and filing their applications for citizenship or residence;

schemes, which might arise when private firms which assisted the government in the design, management and promotion of these schemes, also advised and supported individuals by screening them for suitability and filing their applications for citizenship or residence; ***emphasizes that customer due diligence (CDD) cannot be outsourced to these private companies since it must be assumed that a conflict of interest prevents them from choosing eligible over solvent candidates;***

Or. en

Amendment 669
Alfred Sant

Motion for a resolution
Paragraph 92

Motion for a resolution

92. Calls on Member States to prevent conflicts of interest linked to CBI and RBI schemes, which might arise when private firms which assisted the government in the design, management and promotion of these schemes, also advised and supported individuals by screening them for suitability and filing their applications for citizenship or residence;

Amendment

92. Calls on Member States to prevent conflicts of interest linked to CBI and RBI schemes, which might ***arguably*** arise when private firms which assisted the government in the design, management and promotion of these schemes, also advised and supported individuals by screening them for suitability and filing their applications for citizenship or residence;

Or. en

Amendment 670
Roberts Zile

Motion for a resolution
Paragraph 92

Motion for a resolution

92. Calls on Member States to prevent

Amendment

92. Calls on Member States to prevent

conflicts of interest linked to CBI and RBI schemes, which *might* arise when private firms which assisted the government in the design, management and promotion of these schemes, also advised and supported individuals by screening them for suitability and filing their applications for citizenship or residence;

conflicts of interest linked to CBI and RBI schemes, which *are likely to* arise when private firms which assisted the government in the design, management and promotion of these schemes, also advised and supported individuals by screening them for suitability and filing their applications for citizenship or residence;

Or. en

Amendment 671
Monica Macovei

Motion for a resolution
Paragraph 92 a (new)

Motion for a resolution

Amendment

92 a. Is concerned with the fact that the beneficiaries of CBI and RBI schemes may take advantage of the free movement rules applicable to the Schengen area; expresses its concern over the compatibility of such schemes with the full application of the Schengen acquis; worries over the potential implications these schemes may have on the security of the Schengen area and the Union;

Or. en

Amendment 672
Barbara Kappel

Motion for a resolution
Paragraph 93

Motion for a resolution

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; *urges the Commission to examine whether, and, if so, which of these*

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union;

schemes posed a threat to EU legislation;

Or. en

Amendment 673

Monica Macovei

Motion for a resolution

Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation; ***calls on the Commission to assess the risks associated with the selling of citizenship and residence as part of its next Supranational Risk Assessment; urges the Commission to also assess the risks associated with the adoption of visa-waiver agreements with third countries that have CBI or RBI schemes in place; calls on the Commission to expand the scope of obliged entities covered by AMLD5 to include all agents or firms acting as intermediaries in the trade of citizenship and residency or acting as advisors in residence and citizenship planning; calls on the Commission to coordinate information sharing between Member States on rejected applications;***

Or. en

Amendment 674

Pirkko Ruohonen-Lerner

Motion for a resolution

Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation *and to consider possible ways to address the problems associated with these schemes; calls on the Commission to assess the risks associated with the issuance of, and in particular the sale of, citizenship and residence permits as part of the next supranational risk assessment; also calls on the Commission to assess the risks associated with visa waiver agreements with countries operating CBI or RBI schemes; calls on the Commission to extend the list of obliged entities under the fifth Anti-Money Laundering Directive (AMLD5) to all operators and service providers involved in trade in citizenship or residence permits or acting as advisers in this field; calls on the Commission to develop procedures to coordinate the exchange of information between Member States on unsuccessful applications;*

Or. fi

Amendment 675

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation; *calls on the Commission to assess the risks*

associated with the selling of citizenship and residence as part of its next Supranational Risk Assessment; urges the Commission to also assess the risks associated with the adoption of visa-waiver agreements with third countries that have CBI or RBI schemes in place; calls on the Commission to expand the scope of obliged entities covered by AMLD5 to include all agents or firms acting as intermediaries in the trade of citizenship and residency or acting as advisors in residence and citizenship planning; calls on the Commission to establish mechanisms for coordinating information sharing between Member States on rejected applications; calls on the Commission to assess the extent to which these schemes have been used by EU citizens;

Or. en

Amendment 676
Alfred Sant

Motion for a resolution
Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union *as well as to include in its study all other arrangements by which citizenship is granted, especially on an ad hoc, “private” and hidden basis for political economic or security or other reasons;* urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

Or. en

Amendment 677
Markus Ferber

Motion for a resolution
Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to *examine whether, and, if so, which of these schemes posed a threat to EU legislation*;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to *either ban CBI and RBI schemes or to at least provide a set of minimum standards in order to mitigate any threat to the European Union*;

Or. en

Amendment 678
Anne Sander

Motion for a resolution
Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation; *calls on the Member States to take swift action where shortcomings have been identified*;

Or. fr

Amendment 679
Roberta Metsola

Motion for a resolution
Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise

Amendment

93. Urges the Commission to finalise

its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation, ***not just on paper but also in practice; reiterates that citizenship and all the rights associated with it should never be for sale;***

Or. en

Amendment 680
Werner Langen

Motion for a resolution
Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes ***posed*** a threat to EU legislation;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes ***pose*** a threat to ***fair*** EU legislation;

Or. de

Amendment 681
Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation; ***in particular AMLD and ATAD;***

Or. en

Amendment 682
Roberts Zile

Motion for a resolution
Paragraph 93

Motion for a resolution

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation;

Amendment

93. Urges the Commission to finalise its study on CBI and RBI schemes in the Union; urges the Commission to examine whether, and, if so, which of these schemes posed a threat to EU legislation ***and security of the Member States;***

Or. en

Amendment 683
Peter Simon, Evelyn Regner, Dietmar Köster, Olle Ludvigsson

Motion for a resolution
Paragraph 93 a (new)

Motion for a resolution

Amendment

93 a. Condemns Member States implementing CBI and RBI schemes in opaque circumstances and without proper enforcement of AML controls; urges Member States which operate these schemes to publish annually the names and nationalities of beneficiaries of CBI and RBI and their relatives in order to minimise risks of money laundering, tax crimes and related criminality;

Or. en

Amendment 684
Tom Vandenkendelaere

Motion for a resolution

Paragraph 93 a (new)

Motion for a resolution

Amendment

93 a. *Stresses that better data collection is critical to forecast vulnerabilities induced by CBI and RBI schemes; urges the Commission to provide some guidance on the transparency standards to be followed by the Member States, which could include making the most relevant information and data they hold publicly available;*

Or. en

Amendment 685

Gilles Lebreton, Nicolas Bay

Motion for a resolution

Subheading 4.2 a (new)

Motion for a resolution

Amendment

Or. fr

Amendment 686

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 95

Motion for a resolution

Amendment

95. Notes that free ports within the EU can be established under the ‘free zone’ procedure; notes that free zones are enclosed areas within the customs territory of the Union where non-Union goods can be introduced free of import duty, other charges (i.e. taxes) and commercial policy

95. Notes that free ports within the EU can be established under the ‘free zone’ procedure; notes that free zones are enclosed areas within the customs territory of the Union where non-Union goods can be introduced free of import duty, other charges (i.e. taxes) and commercial policy

measures;

measures; *highlights with concern that free ports can be also used for the purpose of tax evasion;*

Or. en

Amendment 687
Louis Michel

Motion for a resolution
Paragraph 95 a (new)

Motion for a resolution

Amendment

95a. *Stresses that free zones must not be used to achieve the same effects as tax havens;*

Or. fr

Amendment 688
Barbara Kappel

Motion for a resolution
Paragraph 96

Motion for a resolution

Amendment

96. *Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; deplores the fact that they have since become popular for the storage of substitute assets, including art, precious stones, antiques, gold and wine collections – often on a permanent basis;⁶⁰*

deleted

⁶⁰ *EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.*

Amendment 689
Emil Radev

Motion for a resolution
Paragraph 96

Motion for a resolution

96. Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; *deplores the fact* that they have since *become popular for* the storage of substitute assets, including art, precious stones, antiques, gold and wine collections – often on a permanent basis;⁶⁰ ;

⁶⁰ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Amendment

96. Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; *points out* that they have since *been turned over to* the storage of substitute assets including art, precious stones, antiques, gold and wine collections – often on a permanent basis⁶⁰ ;

⁶⁰ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Or. bg

Amendment 690
Alfred Sant

Motion for a resolution
Paragraph 96

Motion for a resolution

96. Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; deplores the fact that they have since become popular for the storage of substitute assets, including art, precious stones, antiques, gold and wine collections – often on a permanent basis;⁶⁰

Amendment

96. Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; deplores the fact that they have since become popular for the storage of substitute assets, including art, precious stones, antiques, gold and wine collections – often on a permanent basis;⁶⁰ *but recalls that in the past this practice*

was part of the operating profile of major banks and financial institutions, as well as of leading European ministries and foundations;

⁶⁰ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

⁶⁰ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Or. en

Amendment 691
Roberts Zile

Motion for a resolution
Paragraph 96

Motion for a resolution

96. Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; deplores the fact that they have since become popular for the storage of substitute assets, including art, precious stones, antiques, gold and wine collections – often on a permanent basis;⁶⁰

⁶⁰ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Amendment

96. Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; deplores the fact that *in some cases* they have since become popular for the storage of substitute assets, including art, precious stones, antiques, gold and wine collections – often on a permanent basis;⁶⁰

⁶⁰ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Or. en

Amendment 692
Werner Langen

Motion for a resolution
Paragraph 96

Motion for a resolution

96. Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; deplores the fact that they have since become popular for the storage of substitute assets, including art, precious stones, antiques, gold and wine collections – often on a permanent basis;⁶⁰

⁶⁰ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Amendment

96. Recalls that free ports are warehouses in free zones, which were – originally – intended as spaces to store merchandise in transit; deplores the fact that they have since become popular for the storage of substitute assets, including art, precious stones, antiques, gold and wine collections – often on a permanent basis⁶⁰ ***and financed from unknown sources;***

⁶⁰ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Or. de

Amendment 693
Roberts Zile

Motion for a resolution
Paragraph 97

Motion for a resolution

97. Notes that, apart from secure storage, the motivations for the use of free ports include a high degree of secrecy and the deferral of import duties and indirect taxes such as VAT or user tax;

Amendment

97. Notes that, apart from secure storage, the motivations for the use of free ports ***often*** include a high degree of secrecy and the deferral of import duties and indirect taxes such as VAT or user tax;

Or. en

Amendment 694
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 97

Motion for a resolution

97. Notes that, apart from secure storage, the motivations for the use of free ports include a high degree of secrecy and the deferral of import duties and indirect taxes such as VAT or user tax;

Amendment

97. Notes that, apart from secure storage, the motivations for the use of free ports include a high degree of secrecy and the deferral of import duties and indirect taxes such as VAT or user tax; ***recognizes that the purpose of free ports is not to constitute a place for the safe and tax-free storage of value for the wealth of individuals while it has been found that they are frequently used as such;***

Or. en

Amendment 695

Louis Michel

Motion for a resolution

Paragraph 97

Motion for a resolution

97. Notes that, apart from secure storage, the motivations for the use of free ports include a high degree of secrecy and the deferral of import duties and indirect taxes such as VAT or user tax;

Amendment

97. Notes that, apart from secure storage, the motivations for the use of free ports include a high degree of secrecy and the deferral of import duties and indirect taxes such as VAT or user tax ***provided that the goods leave the free zone for the benefit of a Member State; notes that if this is not the case, if the goods leave the EU, VAT does not have to be paid; this can be a source of tax evasion;***

Or. fr

Amendment 696

Alfred Sant

Motion for a resolution

Paragraph 98

Motion for a resolution

Amendment

98. Underlines that there are over 80 free zones in the EU⁶¹ and many thousands of other warehouses under ‘special storage procedures’ in the EU, notably ‘customs warehouses’, which can offer the same degree of secrecy and (indirect) tax advantages;⁶²

⁶¹ European Commission list of EU free zones.

⁶² EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

98. Underlines that there are over 80 free zones in the EU⁶¹ and many thousands of other warehouses under ‘special storage procedures’ in the EU, notably ‘customs warehouses’, which can ***or could*** offer the same degree of secrecy and (indirect) tax advantages;⁶²

⁶¹ European Commission list of EU free zones.

⁶² EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Or. en

Amendment 697

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 99**

Motion for a resolution

99. Observes that under the Union Customs Code, customs warehouses are on an almost identical legal footing with free ports; recommends, therefore, they be put on an equal footing with free ports under legal measures aimed at mitigating money laundering and tax evasion risks therein, such as AMLD5;

Amendment

99. Observes that under the Union Customs Code, customs warehouses are on an almost identical legal footing with free ports; recommends, therefore, they be put on an equal footing with free ports under legal measures aimed at mitigating money laundering and tax evasion risks therein, such as AMLD5; ***considers that warehouses should be equipped with the adequate staff to be able to undertake the necessary scrutiny of the operations that they host;***

Or. en

Amendment 698 **Alfred Sant**

Motion for a resolution
Paragraph 100

Motion for a resolution

100. Notes that money laundering risks in free ports **are** directly associated with money laundering risks in the substitute assets market;

Amendment

100. Notes that money laundering risks in free ports **could be** directly associated with money laundering risks in the substitute assets market;

Or. en

Amendment 699

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 100 a (new)

Motion for a resolution

Amendment

100 a. Calls the Commission to assess to what extent free ports and ship licensing may be misused for purposes of tax evasion, and, if appropriate, to come up with a suitable proposal for mitigating such risks^{1a}

^{1a} European Parliament recommendation of 13 December 2017 to the Council and the Commission following the inquiry into money laundering, tax avoidance and tax evasion (Texts adopted, P8_TA-(2017)0491).

Or. en

Amendment 700

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 101

Motion for a resolution

101. Notes that under DAC5, as of 1 January 2018, direct tax authorities have ‘access upon request’ to a broad information set with regard to ultimate beneficial ownership (UBO) information collected under the AMLD; notes that EU AML legislation is built on the trust in reliable CDD research and the diligent reporting of suspicious transactions by obliged entities, which will become AML gatekeepers; notes with concern that ‘access upon request’ to information held by free ports may only have very limited effect in specific cases⁶³ ;

⁶³ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Amendment

101. Notes that under DAC5, as of 1 January 2018, direct tax authorities have ‘access upon request’ to a broad information set with regard to ultimate beneficial ownership (UBO) information collected under the AMLD; notes that EU AML legislation is built on the trust in reliable CDD research and the diligent reporting of suspicious transactions by obliged entities, which will become AML gatekeepers; notes with concern that ‘access upon request’ to information held by free ports may only have very limited effect in specific cases⁶³ ; ***takes the view that direct tax offices should be able to fish into UBO data as part of their surveillance tasks;***

⁶³ EPRS study entitled ‘Money Laundering and tax evasion risks in free ports’, October 2018, PE: 627.114; ISBN: 978-92-846-3333-3.

Or. en

Amendment 701

Louis Michel, Thierry Cornillet

Motion for a resolution

Paragraph 102

Motion for a resolution

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Amendment

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs,

and to include a traceability obligation;

Or. fr

Amendment 702
Emil Radev

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Calls on the Commission to **table** a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Amendment

102. Calls on the Commission to **assess the potential impact of** a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Or. bg

Amendment 703
Monica Macovei

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Amendment

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including **law enforcement, Europol**, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Or. en

Amendment 704
Roberta Metsola

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Amendment

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including ***law enforcement***, tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Or. en

Amendment 705
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Amendment

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including ***law enforcement***, tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Or. en

Amendment 706
José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution
Paragraph 102

Motion for a resolution

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Amendment

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including **law enforcement**, tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Or. en

Amendment 707

Ramón Jáuregui Atondo, Peter Simon

Motion for a resolution

Paragraph 102

Motion for a resolution

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Amendment

102. Calls on the Commission to table a legislative proposal to ensure the automatic exchange of information between the relevant authorities, including **law enforcement** tax and customs authorities, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

Or. en

Amendment 708

Peter Simon, Ramón Jáuregui Atondo, Arndt Kohn, Virginie Rozière, Evelyn Regner, Doru-Claudian Frunzulică, Mady Delvaux, Hugues Bayet, Elly Schlein, Dietmar Köster, Olle Ludvigsson

Motion for a resolution

Paragraph 102

Motion for a resolution

102. Calls on the Commission to table a legislative proposal to ensure the automatic

Amendment

102. Calls on the Commission to table a legislative proposal to ensure the automatic

exchange of information between the relevant authorities, ***including tax and customs authorities***, on beneficial ownership and transactions taking place in free ports, customs warehouses or SEZs;

exchange of information between the relevant authorities, on beneficial ownership and ***relevant*** transactions ***for taxation purposes*** taking place in free ports, customs warehouses or SEZs;

Or. en

Amendment 709
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 102 a (new)

Motion for a resolution

Amendment

102a. Notes that the end of banking secrecy has led to the emergence of investment in new assets such as art, which has led to rapid growth of the art market in recent years; stresses that free zones provide them with a safe and widely disregarded storage space, where trade can be conducted untaxed and ownership can be concealed, while art itself remains an unregulated market, due to factors such as the difficulty of determining market prices and finding specialists; points out that, for example, it is easier to move a valuable painting to the other side of the world than a similar amount of money;

Or. fi

Amendment 710
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 102 a (new)

Motion for a resolution

Amendment

102 a. Calls on the Commission to begin the process and propose concrete steps for the phasing out of the system of free ports in Europe;

Or. en

Amendment 711

Peter Simon, Evelyn Regner, Mady Delvaux, Dietmar Köster, Arndt Kohn, Olle Ludvigsson

**Motion for a resolution
Subheading 4.3**

Motion for a resolution

Amendment

Amnesties

Tax Amnesties

Or. en

Amendment 712

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

**Motion for a resolution
Paragraph 103**

Motion for a resolution

Amendment

103. Recalls the need to use amnesties with extreme caution in order not to encourage tax avoiders to wait for the next amnesty; calls on the Member States which enact tax amnesties to always require the beneficiary to explain the source of funds previously omitted;

deleted

Or. en

Amendment 713

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 103**

Motion for a resolution

103. ***Recalls the need to use*** amnesties ***with extreme caution in order not to*** encourage tax avoiders to wait for the next amnesty; calls on the Member States which enact tax amnesties to always require the beneficiary to explain the source of funds previously omitted;

Amendment

103. ***Calls for Member States to refrain from using tax*** amnesties ***as they*** encourage tax avoiders to wait for the next amnesty; calls on the Member States which enact tax amnesties to always require the beneficiary to explain the source of funds previously omitted;

Or. en

Amendment 714

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 103 a (new)**

Motion for a resolution

Amendment

103 a. Recalls the European Parliament's position in the PANA recommendation whereby it called on the Member States to identify and stop all use of any form of tax amnesties that could lead to money laundering and tax evasion or that could prevent national authorities from using the data provided to pursue financial crime investigations^{1a}

^{1a} European Parliament recommendation of 13 December 2017 to the Council and the Commission following the inquiry into money laundering, tax avoidance and tax evasion (Texts adopted, P8_TA-(2017)0491).

Amendment 715

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 103 a (new)

Motion for a resolution

Amendment

103 a. Points out that tax amnesties represent a high risk of decreased tax compliance in the long run and a threat to the rule of law and the fight against money laundering;

Or. en

Amendment 716

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 103 b (new)

Motion for a resolution

Amendment

103 b. Calls on the Member States to refrain from further using tax amnesties as this measure only represents a source of quick tax collection in the short run while has a significantly negative impact on the overall tax systems;

Or. en

Amendment 717

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 103 b (new)

Motion for a resolution

Amendment

103 b. Regrets the fact that EU Member States have prioritized short-term revenue benefits over the elimination of tax fraud by providing tax amnesties;^{1a}

^{1a} *De la Feria, Rita (2018) ‘Tax Fraud and the Rule of Law’; WP18/02; Oxford University Centre for Business Taxation; January 2018.*

Or. en

Amendment 718

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 103 c (new)**

Motion for a resolution

Amendment

103 c. Notes that tax amnesties allow tax fraudsters to voluntarily repay all or parts of unpaid taxes without being subject to criminal prosecutions or full penalties; regrets that tax amnesties have become popular in the last few years in the context of the financial crisis^{1a} and the austerity policies;

^{1a} *De la Feria, Rita (2018) ‘Tax Fraud and the Rule of Law’; WP18/02; Oxford University Centre for Business Taxation; January 2018.*

Or. en

Amendment 719

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 103 d (new)**

Motion for a resolution

Amendment

103 d. Notes that tax amnesties are very negative they affect the most affluent sectors of society and extend the idea that having many resources guarantees impunity and makes it easy to circumvent legality; calls for Member States to stop tax amnesties and that economic and penal sanctions against the fraudsters be increased;

Or. en

**Amendment 720
David Coburn
on behalf of the EFDD Group
Raymond Finch**

**Motion for a resolution
Paragraph 104**

Motion for a resolution

Amendment

104. Calls on the Commission to assess past amnesty programmes enacted by Member States, and, in particular, the public revenues recovered and their impact in the medium and long term on tax base volatility;

deleted

Or. en

**Amendment 721
Peter Simon, Mady Delvaux, Evelyn Regner, Dietmar Köster, Olle Ludvigsson**

Motion for a resolution

Paragraph 104

Motion for a resolution

104. Calls on the Commission to assess past amnesty programmes enacted by Member States, and, in particular, the public revenues recovered and their impact in the medium and long term on tax base volatility;

Amendment

104. Calls on the Commission to assess past amnesty programmes enacted by Member States, and, in particular, the public revenues recovered and their impact in the medium and long term on tax base volatility; ***urges Member States to ensure that relevant data related to the beneficiaries of previous and future tax amnesties is duly shared with the judiciary, law enforcement, and tax authorities, to ensure compliance with AML/CFT rules and possible prosecution for other financial crimes;***

Or. en

Amendment 722

David Coburn

on behalf of the EFDD Group

Raymond Finch

Motion for a resolution

Paragraph 105

Motion for a resolution

105. Takes the view that the CoC Group should mandatorily screen and clear each tax amnesty programme before its implementation by a Member State; takes the view that a taxpayer or ultimate beneficial owner of a company who has already benefited from one or more tax amnesties should never be entitled to benefit from another one; calls for national authorities managing the data on persons who have benefited from tax amnesties to engage in an effective exchange of the data from law enforcement or other competent authorities investigating crimes other than tax fraud or tax evasion;

Amendment

deleted

Amendment 723

Alfred Sant

Motion for a resolution

Paragraph 105

Motion for a resolution

105. ***Takes the view that the CoC Group should mandatorily screen and clear each tax amnesty programme before its implementation by a Member State;*** takes the view that a taxpayer or ultimate beneficial owner of a company who has already benefited from one or more tax amnesties should never be entitled to benefit from another one; calls for national authorities managing the data on persons who have benefited from tax amnesties to engage in an effective exchange of the data from law enforcement or other competent authorities investigating crimes other than tax fraud or tax evasion;

Amendment

105. Takes the view that a taxpayer or ultimate beneficial owner of a company who has already benefited from one or more tax amnesties should never be entitled to benefit from another one; calls for national authorities managing the data on persons who have benefited from tax amnesties to engage in an effective exchange of the data from law enforcement or other competent authorities investigating crimes other than tax fraud or tax evasion;

Or. en

Amendment 724

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Subheading 4.4 a (new)

Motion for a resolution

(new para) Acknowledges that administrative cooperation in the field of direct taxes framework covers now both individual and corporate taxpayers;

Amendment

Or. en

Amendment 725

Anne Sander

Motion for a resolution

Paragraph 106 a (new)

Motion for a resolution

Amendment

106a. Stresses that international standards on administrative cooperation are only minimum standards; notes, therefore, that within the European Union, Member States should go further than merely complying with these minimum standards; calls on the Member States already working responsibly to facilitate this cooperation by removing the administrative barriers in order to make it more direct, simple and effective;

Or. fr

Amendment 726

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 106 a (new)

Motion for a resolution

Amendment

106 a. Call on Member States to do group requests and to harmonise the definition of tax crimes; call on the Commission to eliminate any obstacles in administrative and legal cooperation;

Or. en

Amendment 727

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 106 b (new)

Motion for a resolution

Amendment

106 b. Calls on the Commission to assess and presents proposals to close loopholes in the DAC2, particularly by including hard assets and cryptocurrencies in the scope of the directive, by prescribing sanctions for non-compliance or false reporting from financial institutions, as well as by including more types of financial institutions and types of accounts that are not being reported at the moment, such as pension funds;

Or. en

Amendment 728

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 106 c (new)

Motion for a resolution

Amendment

106 c. Considers that coordinated on-site inspections and joint audits should be part of the European framework of cooperation between tax administrations;

Or. en

Amendment 729

Petr Ježek, Wolf Klinz, Thierry Cornillet, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution

Paragraph 107

Motion for a resolution

Amendment

107. Stresses that money laundering can assume various forms, and that the money

107. Stresses that money laundering can assume various forms, and that the money

laundered can have its origin in various illicit activities ranging from terrorism to tax evasion and fraud; notes with concern that the proceeds from criminal activity in the EU are estimated to amount to EUR 110 billion per year⁶⁴, corresponding to 1 % of the Union's total GDP; highlights that the Commission estimates that in some Member States up to 70 % of money laundering cases have a cross-border dimension⁶⁵; further notes that the scale of money laundering is estimated by the UN⁶⁶ to be the equivalent of between 2 to 5 % of global GDP, or around EUR 715 billion and 1.87 trillion a year;

⁶⁴ From illegal markets to legitimate businesses: the portfolio of organised crime in Europe, Final report of Project OCP – Organised Crime Portfolio, March 2015.

⁶⁵

<http://www.europarl.europa.eu/news/en/press-room/20171211IPR90024/new-eu-wide-penalties-for-money-laundering>; Commission proposal of 21 December 2016 for a directive of the European Parliament and of the Council on countering money laundering by criminal law (COM(2016)0826).

⁶⁶ UNODC -

<https://www.unodc.org/unodc/en/money-laundering/globalization.html>

laundered can have its origin in various illicit activities ranging from terrorism to tax evasion and fraud; notes with concern that the proceeds from criminal activity in the EU are estimated to amount to EUR 110 billion per year⁶⁴, corresponding to 1 % of the Union's total GDP; highlights that the Commission estimates that in some Member States up to 70 % of money laundering cases have a cross-border dimension⁶⁵; further notes that the scale of money laundering is estimated by the UN⁶⁶ to be the equivalent of between 2 to 5 % of global GDP, or around EUR 715 billion and 1.87 trillion a year; ***whereas a more coordinated approach to tackling financing of terrorism, which includes closer collaboration between private and public-sector authorities in the area of information sharing, would help improve these figures;***

⁶⁴ From illegal markets to legitimate businesses: the portfolio of organised crime in Europe, Final report of Project OCP – Organised Crime Portfolio, March 2015.

⁶⁵

<http://www.europarl.europa.eu/news/en/press-room/20171211IPR90024/new-eu-wide-penalties-for-money-laundering>; Commission proposal of 21 December 2016 for a directive of the European Parliament and of the Council on countering money laundering by criminal law (COM(2016)0826).

⁶⁶ UNODC -

<https://www.unodc.org/unodc/en/money-laundering/globalization.html>

Or. en

Amendment 730
Gunnar Hökmark

Motion for a resolution
Paragraph 107

Motion for a resolution

107. Stresses that money laundering can assume various forms, and that the money laundered can have its origin in various illicit activities ranging from terrorism to tax evasion and fraud; notes with concern that the proceeds from criminal activity in the EU are estimated to amount to EUR 110 billion per year⁶⁴, corresponding to 1 % of the Union's total GDP; highlights that the Commission estimates that in some Member States up to 70 % of money laundering cases have a cross-border dimension⁶⁵; further notes that the scale of money laundering is estimated by the UN⁶⁶ to be the equivalent of between 2 to 5 % of global GDP, or around EUR 715 billion and 1.87 trillion a year;

⁶⁴ From illegal markets to legitimate businesses: the portfolio of organised crime in Europe, Final report of Project OCP – Organised Crime Portfolio, March 2015.

⁶⁵

<http://www.europarl.europa.eu/news/en/press-room/20171211IPR90024/new-eu-wide-penalties-for-money-laundering>; Commission proposal of 21 December 2016 for a directive of the European Parliament and of the Council on countering money laundering by criminal law (COM(2016)0826).

⁶⁶ UNODC - <https://www.unodc.org/unodc/en/money-laundering/globalization.html>

Amendment

107. Stresses that money laundering can assume various forms, and that the money laundered can have its origin in various illicit activities ranging from terrorism to tax evasion and fraud; ***reiterates in this regard the magnitude of laundered money from Russia, used for subversive political purposes***; notes with concern that the proceeds from criminal activity in the EU are estimated to amount to EUR 110 billion per year⁶⁴, corresponding to 1 % of the Union's total GDP; highlights that the Commission estimates that in some Member States up to 70 % of money laundering cases have a cross-border dimension⁶⁵; further notes that the scale of money laundering is estimated by the UN⁶⁶ to be the equivalent of between 2 to 5 % of global GDP, or around EUR 715 billion and 1.87 trillion a year;

⁶⁴ From illegal markets to legitimate businesses: the portfolio of organised crime in Europe, Final report of Project OCP – Organised Crime Portfolio, March 2015.

⁶⁵

<http://www.europarl.europa.eu/news/en/press-room/20171211IPR90024/new-eu-wide-penalties-for-money-laundering>; Commission proposal of 21 December 2016 for a directive of the European Parliament and of the Council on countering money laundering by criminal law (COM(2016)0826).

⁶⁶ UNODC - <https://www.unodc.org/unodc/en/money-laundering/globalization.html>

Or. en

Amendment 731

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 107

Motion for a resolution

107. Stresses that money laundering can assume various forms, and that the money laundered can have its origin in various illicit activities ranging from **terrorism** to tax evasion and fraud; notes with concern that the proceeds from criminal activity in the EU are estimated to amount to EUR 110 billion per year⁶⁴, corresponding to 1 % of the Union's total GDP; highlights that the Commission estimates that in some Member States up to 70 % of money laundering cases have a cross-border dimension⁶⁵; further notes that the scale of money laundering is estimated by the UN⁶⁶ to be the equivalent of between 2 to 5 % of global GDP, or around EUR 715 billion and 1.87 trillion a year;

⁶⁴ From illegal markets to legitimate businesses: the portfolio of organised crime in Europe, Final report of Project OCP – Organised Crime Portfolio, March 2015.

⁶⁵

<http://www.europarl.europa.eu/news/en/press-room/20171211IPR90024/new-eu-wide-penalties-for-money-laundering>; Commission proposal of 21 December 2016 for a directive of the European Parliament and of the Council on countering money laundering by criminal law (COM(2016)0826).

⁶⁶ UNODC -

<https://www.unodc.org/unodc/en/money->

Amendment

107. Stresses that money laundering can assume various forms, and that the money laundered can have its origin in various illicit activities ranging from **different types of crimes such as corruption, weapon and human trafficking and drug dealing** to tax evasion and fraud; notes with concern that the proceeds from criminal activity in the EU are estimated to amount to EUR 110 billion per year⁶⁴, corresponding to 1 % of the Union's total GDP; highlights that the Commission estimates that in some Member States up to 70 % of money laundering cases have a cross-border dimension⁶⁵; further notes that the scale of money laundering is estimated by the UN⁶⁶ to be the equivalent of between 2 to 5 % of global GDP, or around EUR 715 billion and 1.87 trillion a year;

⁶⁴ From illegal markets to legitimate businesses: the portfolio of organised crime in Europe, Final report of Project OCP – Organised Crime Portfolio, March 2015.

⁶⁵

<http://www.europarl.europa.eu/news/en/press-room/20171211IPR90024/new-eu-wide-penalties-for-money-laundering>; Commission proposal of 21 December 2016 for a directive of the European Parliament and of the Council on countering money laundering by criminal law (COM(2016)0826).

⁶⁶ UNODC -

<https://www.unodc.org/unodc/en/money->

Amendment 732

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 107 a (new)**

Motion for a resolution

Amendment

107 a. Calls on the Commission and the Member States to report on the effects money laundering on women's rights, as money laundering impacts on gender inequality by concealing the origin of assets obtained via human trafficking, in which women and girls amount to 70% of the victims, as reported by FATF^{1a}, UNODC^{2a}, among others;

^{1a} FATF (2011) Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants. See <http://www.fatf-gafi.org/media/fatf/documents/reports/Trafficking%20in%20Human%20Beings%20and%20Smuggling%20of%20Migrants.pdf>

^{2a} See UNODC's reports on Trafficking in Persons.

**Amendment 733
Gunnar Hökmark**

**Motion for a resolution
Paragraph 107 a (new)**

Motion for a resolution

Amendment

107 a. Acknowledges that money laundering and organised criminal financial activities are being used for subversive political purposes, as an instrument in hybrid warfare aimed at weakening European democracies, economies and institutions;

Or. en

Amendment 734
Roberts Zile

Motion for a resolution
Paragraph 107 a (new)

Motion for a resolution

Amendment

107 a. Deplores those financial institutions and the related banking models which have actively facilitated, or prevented putting a stop to, systemic money laundering;

Or. en

Amendment 735
Thomas Mann

Motion for a resolution
Paragraph 108

Motion for a resolution

Amendment

108. Welcomes the adoption of AMLD4 and *of* AMLD5; stresses that they represent significant steps in improving the effectiveness of the Union's efforts to combat the laundering of money from criminal activities and to counter the financing of terrorist activities;

108. Welcomes the adoption of AMLD4 and AMLD5; stresses that they represent significant steps in improving the effectiveness of the Union's efforts to combat the laundering of money from criminal activities and to counter the financing of terrorist activities; ***welcomes the adoption by the Council, on 23***

October 2018, of Directive (EU) 2018/1673 on countering money laundering by criminal law, which introduces new criminal law provisions and facilitates more efficient and faster cross-border cooperation between competent authorities in order more effectively to prevent money laundering and the related financing of terrorism and organised crime;

Or. de

Amendment 736
Anne Sander

Motion for a resolution
Paragraph 108 a (new)

Motion for a resolution

Amendment

108a. Notes that the successive revisions of the Anti-Money Laundering Directive have strengthened the European supervisory framework; stresses that these revisions have not been completely transposed throughout Europe; calls on the national administrations to transpose these texts in order to ensure effective protection against money laundering, including that connected with virtual currencies; notes that the multifaceted nature of money laundering techniques requires the development of new and more flexible tools to combat this phenomenon;

Or. fr

Amendment 737
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 108 a (new)

Motion for a resolution

Amendment

108 a. Notes that, according to AMLD4, the Commission shall identify high risk third countries presenting strategic deficiencies in their regime on anti-money laundering and countering terrorist financing; welcomes in this regard the adoption by the Commission in June 2018 of the methodology for identifying high risk third countries; urges the Commission to publish first results as soon as possible, and acknowledges that, in the meantime, the Commission uses the list from the Financial Action Task Force (FATF), however excluding Serbia, which is on the FATF list;

Or. en

Amendment 738

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 108 a (new)

Motion for a resolution

Amendment

108 a. (new) Notes that the Union's AML framework chiefly relies on a preventive approach to money laundering, with a focus on the detection and the reporting of suspicious transactions;

Or. en

Amendment 739

Barbara Kappel

Motion for a resolution

Paragraph 109

Motion for a resolution

109. Deplores the fact that ***a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, and that for this reason,*** infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷ ; calls on these Member States to swiftly remedy this situation; reminds Member States of their legal obligation to respect the deadline of 10 January 2020 for the transposition of AMLD5 into their domestic legislation;

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

Amendment

109. Deplores the fact that infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷ ; calls on these Member States to swiftly remedy this situation; reminds Member States of their legal obligation to respect the deadline of 10 January 2020 for the transposition of AMLD5 into their domestic legislation;

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

Or. en

Amendment 740
Alfred Sant

Motion for a resolution
Paragraph 109

Motion for a resolution

109. Deplores the fact that a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, ***and that*** for this reason, infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷ ; calls on

Amendment

109. Deplores the fact that a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, ***though it queries whether such deadline was set realistically, given the huge burden of regulatory provisions that national financial authorities have been needing in past years to assimilate,***

these Member States to swiftly remedy this situation; reminds Member States of their legal obligation to respect the deadline of 10 January 2020 for the transposition of AMLD5 into their domestic legislation;

promulgate and monitor, even if for this reason, infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷ ; calls on these Member States *and the European Commission* to swiftly remedy this situation; reminds *with circumspection* Member States of their legal obligation to respect the deadline of 10 January 2020 for the transposition of AMLD5 into their domestic legislation;

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

Or. en

Amendment 741

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 109

Motion for a resolution

109. Deplores the fact that a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, and that for this reason, infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷ ; calls on these Member States to swiftly remedy this situation; reminds Member States of their legal obligation to respect the deadline of

Amendment

109. Deplores the fact that a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, and that for this reason, infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷ ; calls on these Member States to swiftly remedy this situation; reminds Member States of their legal obligation to respect the deadline of

10 January 2020 for the transposition of AMLD5 into their domestic legislation;

10 January 2020 for the transposition of AMLD5 into their domestic legislation; ***and calls on the Commission to ensure that the AMLD5 is transposed fully in a timely manner or to consider using the legal tool of a regulation instead;***

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice. ***Moreover, on 8 November 2018, the Commission adopted a negative opinion on the Maltese Financial Intelligence Analysis Unit and required it to continue taking additional measures to fully comply with its obligations.***

Or. en

Amendment 742

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 109

Motion for a resolution

109. Deplores the fact that a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, and that for this reason, infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷; calls on these Member States to swiftly remedy this situation; reminds Member States of their legal obligation to respect the deadline of 10 January 2020 for the transposition of

Amendment

109. Deplores the fact that a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, and that for this reason, infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷; calls on these Member States to swiftly remedy this situation; reminds Member States of their legal obligation to respect the deadline of 10 January 2020 for the transposition of

AMLD5 into their domestic legislation;

AMLD5 into their domestic legislation;
supports the Council conclusions of 23 November inviting Member States to transpose the AMLD5 into their domestic legislation ahead of the 2020 deadline;

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

Or. en

Amendment 743

Petr Ježek, Thierry Cornillet, Wolf Klinz, Maite Pagazaurtundúa Ruiz, Nils Torvalds, Louis Michel

Motion for a resolution

Paragraph 109

Motion for a resolution

109. Deplores the fact that a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, and that for this reason, infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷; calls on these Member States to swiftly remedy this situation; **reminds** Member States **of** their legal obligation to respect the deadline of 10 January 2020 for the transposition of AMLD5 into their domestic legislation;

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court

Amendment

109. Deplores the fact that a large number of Member States have failed to fully or partially transpose AMLD4 into their domestic legislation within the set deadline, and that for this reason, infringement procedures have had to be opened by the Commission against them, including referrals before the Court of Justice of the European Union⁶⁷; calls on these Member States to swiftly remedy this situation; **urges** Member States **to fulfil** their legal obligation to respect the deadline of 10 January 2020 for the transposition of AMLD5 into their domestic legislation;

⁶⁷ On 19 July 2018, the Commission referred Greece and Romania to the Court

of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

of Justice of the European Union for failing to transpose the fourth Anti-Money Laundering Directive into their national law. Ireland had transposed only a very limited part of the rules and was also referred to the Court of Justice.

Or. en

Amendment 744
Monica Macovei

Motion for a resolution
Paragraph 109 a (new)

Motion for a resolution

Amendment

109 a. Deplores the fact that a number of Member States misuse the transposition of AML Directives for imposing additional financial burdens on NGOs and independent media outlets^{67a}; calls on the Commission to closely monitor the transposition processes of AMLD4 and AMLD5, sanctioning any such misuse;

^{67a} <https://civicspacewatch.eu/romania-anti-money-laundering-agency-proposes-legislation-that-increases-ngo-administrative-burdens-under-threat-of-dissolution/>

Or. en

Amendment 745
Petr Ježek, Thierry Cornillet, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution
Paragraph 110

Motion for a resolution

Amendment

110. Recalls the crucial importance of CDD as part of the know-your-customer (KYC) obligation which consists of obliged entities having to properly identify their customers and the source of their funds as well as the ultimate beneficial owners of the assets, including the immobilisation of anonymous accounts;

110. Recalls the crucial importance of CDD as part of the know-your-customer (KYC) obligation which consists of obliged entities having to properly identify their customers and the source of their funds as well as the ultimate beneficial owners of the assets, including the immobilisation of anonymous accounts;
calls on the private sector to take an active role and to be at the front line of defence in combatting financing of terrorism and prevention of terrorist activity, where possible;

Or. en

Amendment 746

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 110

Motion for a resolution

110. Recalls the crucial importance of CDD as part of the know-your-customer (KYC) obligation which consists of obliged entities having to properly identify their customers and the source of their funds as well as the ultimate beneficial owners of the assets, including the immobilisation of anonymous accounts;

Amendment

110. Recalls the crucial importance of CDD as part of the know-your-customer (KYC) obligation which consists of obliged entities having to properly identify their customers and the source of their funds as well as the ultimate beneficial owners of the assets, including the immobilisation of anonymous accounts;
notes that adequate resources within tax administrations are necessary for the effective implementation of this obligation;

Or. en

Amendment 747

Peter Simon, Pervenche Berès, Doru-Claudian Frunzuliță, Evelyn Regner, Mady Delvaux, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution
Paragraph 110 a (new)

Motion for a resolution

Amendment

110 a. Welcomes the Action Plan adopted by the Council on the 4th of December 2018, including several non-legislative measures to better tackle money laundering and terrorist financing in the EU; requests the Commission to regularly update the Parliament on the progress of the implementation of the Action Plan;

Or. en

Amendment 748

Peter Simon, Pervenche Berès, Doru-Claudian Frunzulică, Evelyn Regner, Dietmar Köster, Olle Ludvigsson, Virginie Rozière

Motion for a resolution
Paragraph 110 b (new)

Motion for a resolution

Amendment

110 b. Is concerned by the absence of concrete procedures to assess and review the probity of members of the governing council of the European Central Bank, in particular when they are formally accused of criminal activity; calls for mechanisms to monitor and review the conduct and propriety of the members of the governing council of the European Central Bank and to protect them in case of abuse of power by the authority that has the appointment power;

Or. en

Amendment 749

Ramón Jáuregui Atondo, Peter Simon

Motion for a resolution

Paragraph 111

Motion for a resolution

111. Condemns the fact that systemic failures in the enforcement of AML requirements, coupled with inefficient supervision, has led to a number of recent high-profile cases of ML in European banks linked to systematic breaches of the most basic KYC and CDD requirements;

Amendment

111. Condemns the fact that systemic failures in the enforcement of AML requirements, coupled with inefficient supervision, has led to a number of recent high-profile cases of ML in European banks linked to systematic breaches of the most basic KYC and CDD requirements; ***recalls the crucial importance of developing Public and Private Partnerships (PPPs) and highlights the existence and positive results of the only transnational PPP, the Europol Financial Intelligence Public Private Partnership, promoting the sharing of strategic and tactical information amongst banks, FIUs, LEAs and national regulators across States;***

Or. en

Amendment 750

Alfred Sant

Motion for a resolution

Paragraph 111

Motion for a resolution

111. Condemns the fact that systemic failures in the enforcement of AML requirements, coupled with inefficient supervision, has led to a number of recent high-profile cases of ML in European banks linked to systematic breaches of the most basic KYC and CDD requirements;

Amendment

111. Condemns the fact that systemic failures in the enforcement of AML requirements, coupled with inefficient supervision, has led to a number of recent high-profile cases of ML in European banks linked to systematic breaches of the most basic KYC and CDD requirements; ***regrets the unequal treatment of the alleged system failures, such that large scale breaches of AML requirements that happened over the long term by the bigger financial institutions in the larger Member States went unobserved while relatively smaller scale, shorter-term***

failures in smaller economies were slapped with the full weight of sanctions on a European scale, and opines that this undermines the thrust of AML provisions;

Or. en

Amendment 751

Peter Simon, Mady Delvaux, Evelyn Regner, Pervenche Berès, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution

Paragraph 111 a (new)

Motion for a resolution

Amendment

111 a. Stresses the continued use of cash in cases of money laundering; highlights the new Regulation on controls on cash entering or leaving the Union, which harmonises and expands controls on large sums of cash and highly liquid stores of value; regrets that while rules on the EU external borders are harmonised, rules among Member States concerning cash movements within EU borders vary;

Or. en

Amendment 752

José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 111 a (new)

Motion for a resolution

Amendment

111 a. Recalls the crucial importance of developing Public and Private Partnerships (PPPs) and highlights the existence and positive results of the only transnational PPP, the Europol Financial Intelligence Public Private Partnership, promoting the sharing of strategic and

*tactical information amongst banks,
FIUs, LEAs and national regulators
across States;*

Or. en

Amendment 753
Roberta Metsola

Motion for a resolution
Paragraph 111 a (new)

Motion for a resolution

Amendment

111 a. Recalls the importance of developing Public and Private Partnerships (PPPs) and highlights the existence and positive results of the only transnational PPP, the Europol Financial Intelligence Public Private Partnership, promoting the sharing of strategic information amongst banks, FIUs, LEAs and national regulators across the EU Member States;

Or. en

Amendment 754
Peter Simon, Evelyn Regner, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution
Paragraph 111 b (new)

Motion for a resolution

Amendment

111 b. Notes that high-denomination euro notes provide a way to move large amounts of cash and thus potentially evade AML controls; welcomes that the ECB announced in 2016 it would no longer issue new €500 notes (even though the outstanding stock remains legal tender); calls on the ECB to extend this

action to the €200 notes and for determining the phasing out of the ability to use of both €500 and €200 notes;

Or. en

Amendment 755
Anne Sander

Motion for a resolution
Paragraph 112

Motion for a resolution

112. Recalls that KYC and CDD *continues* throughout the business relationship, and that customers' transactions have to be monitored for suspicious or unusual activities; recalls, in this context, the obligation for obliged entities to promptly inform national FIUs, on their own initiative, of transactions suspected of ML, associate predicate offences or terrorist financing;

Amendment

112. Recalls that KYC and CDD *are essential, that they must continue* throughout the business relationship, and that customers' transactions have to be *closely* monitored for suspicious or unusual activities; recalls, in this context, the obligation for obliged entities to promptly inform national FIUs, on their own initiative, of transactions suspected of ML, associate predicate offences or terrorist financing;

Or. fr

Amendment 756
Emil Radev

Motion for a resolution
Paragraph 112

Motion for a resolution

112. Recalls that KYC and CDD continues throughout the business relationship, and that customers' transactions have to be monitored for suspicious or unusual activities; recalls, in this context, the obligation for obliged entities to promptly inform national FIUs, on their own initiative, of transactions

Amendment

112. Recalls that KYC and CDD continues *uninterrupted* throughout the business relationship, and that customers' transactions have to be *permanently* monitored for suspicious or unusual activities; recalls, in this context, the obligation for obliged entities to promptly inform national FIUs, on their own

suspected of ML, associate predicate offences or terrorist financing;

initiative, of transactions suspected of ML, associate predicate offences or terrorist financing;

Or. bg

Amendment 757

Petr Ježek, Wolf Klinz, Thierry Cornillet, Maite Pagazaurtundúa Ruiz, Nils Torvalds, Louis Michel

Motion for a resolution Paragraph 112

Motion for a resolution

112. Recalls that KYC and CDD continues throughout the business relationship, and that customers' transactions have to be monitored for suspicious or unusual activities; recalls, in this context, the obligation for obliged entities to promptly inform national FIUs, on their own initiative, of transactions suspected of ML, associate predicate offences or terrorist financing;

Amendment

112. Recalls that KYC and CDD continues throughout the business relationship, and that customers' transactions have to be monitored for suspicious or unusual activities; recalls, in this context, the obligation for obliged entities to promptly inform national FIUs, on their own initiative, of transactions suspected of ML, associate predicate offences or terrorist financing; ***calls on public and private stakeholders to develop closer working relationships and to exchange best practices in how to combat financing of terrorism and how to mitigate against future incidences of ML inside the EU;***

Or. en

Amendment 758

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 112

Motion for a resolution

112. Recalls that KYC and CDD

Amendment

112. Recalls that KYC and CDD

continues throughout the business relationship, and that customers' transactions have to be monitored for suspicious or unusual activities; recalls, in this context, the obligation for obliged entities to promptly inform national FIUs, on their own initiative, of transactions suspected of ML, associate predicate offences or terrorist financing;

continues throughout the business relationship, and that customers' transactions have to be monitored for suspicious or unusual activities; recalls, in this context, the obligation for obliged entities to promptly inform national FIUs, on their own initiative, of transactions suspected of ML, associate predicate offences or terrorist financing; *is concerned that AMLD5 continues to allow for managing directors to be registered as beneficial owners while the real beneficial owner of a company or trust is not known; calls on the Commission to present a legislative proposal to end the practice of accepting the ultimate beneficial owners to hide behind straw men and to urge other jurisdictions at international level to do the same; calls on the Member States when transposing AMLD5 into national law to ensure that obliged entities terminate the business relationship with another company whose ultimate beneficial owners are not known;*

Or. en

Amendment 759

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Doru-Claudian Frunzulică, Elly Schlein, Dietmar Köster, Olle Ludvigsson

Motion for a resolution

Paragraph 112 a (new)

Motion for a resolution

Amendment

112 a. Notes the positive results of the UK law establishing the Unexplained Wealth Order (UWO) in tracking proceeds of criminal activities; highlights that a UWO is a court order that requires a person who is reasonably suspected of involvement in, or of being connected to a person involved in, serious crime to

explain the nature and extent of their interest in particular property, and to explain how the property was obtained, where there are reasonable grounds to suspect that the respondent's known lawfully obtained income would be insufficient to allow the respondent to obtain the property; calls on the Commission to assess the feasibility of proposing a similar measure through EU legislation and report back to Parliament;

Or. en

Amendment 760

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 112 a (new)

Motion for a resolution

Amendment

112 a. Is concerned with the reliance of the AMLD on self-regulation by obliged entities; and notes that this is a matter of concern as all leaks so far have exposed the role of banks, lawyers, traders, insurance companies, and other enablers and promoters, as accomplices in money laundering cases;

Or. en

Amendment 761

Gunnar Hökmark

Motion for a resolution

Paragraph 112 a (new)

Motion for a resolution

Amendment

112 a. Underlines the threat to European

security and stability posed by money laundering from Russia with the aim to finance subversive activities, disinformation and corruption as well as unfair competition; considers the magnitude of this money laundering as part of hostile activities meant to undermine, misinform and destabilise, while at the same time upholding criminal activities;

Or. en

Amendment 762

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Doru-Claudian Frunzuliță, Elly Schlein, Dietmar Köster, Olle Ludvigsson

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

Motion for a resolution

Amendment

112 b. Welcomes the decision in some Member States to ban the issuing of bearer shares and to convert the current ones into nominal securities; reiterates its call on the Commission to propose EU-wide legislation to the same effect;

Or. en

Amendment 763

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Doru-Claudian Frunzuliță, Hugues Bayet, Elly Schlein, Dietmar Köster, Olle Ludvigsson

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

Motion for a resolution

Amendment

112 c. Stresses the urgent need to create a more efficient system for

communication and information exchange among judicial authorities within the EU, replacing the traditional instruments of mutual legal assistance in criminal matters, which provide lengthy and burdensome procedures harming investigations of money laundering and other serious crimes; reiterates its call on the Commission to assess the need for legislative action in this field;

Or. en

Amendment 764

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Doru-Claudian Frunzulică, Hugues Bayet, Dietmar Köster, Elly Schlein, Olle Ludvigsson

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

Motion for a resolution

Amendment

112 d. Calls on the Commission to assess and report to Parliament about the role and particular risks presented by legal arrangements such as Special Purpose Vehicles (SPVs), Special Purpose Entities (SPEs) and Non Charitable Purpose Trusts (NCPTs) in money laundering, particularly in the UK, and Crown Dependencies and Overseas territories;

Or. en

Amendment 765

Peter Simon, Evelyn Regner, Dietmar Köster, Arndt Kohn, Olle Ludvigsson

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

Motion for a resolution

Amendment

112 e. Urges Member States to fully

comply with AML legislation when issuing sovereign bonds on the financial markets; recalls that money laundering and financing of terrorism takes many forms and that due diligence in such financial operations is strictly necessary;

Or. en

Amendment 766
Roberts Zile

Motion for a resolution
Paragraph 113

Motion for a resolution

113. Notes that during *the mandate of the TAX3 Committee* alone, *three* deplorable cases of money laundering through EU banks have been *disclosed*: ING Bank N.V. recently admitted serious shortcomings in the application of AML/CTF provisions *and agreed to pay EUR 775 million in a settlement with the Netherlands' Public Prosecution Service*⁶⁸ ; *ABLV Bank in Latvia went into voluntary liquidation after* the United States Financial Crimes Enforcement Network (FinCEN) decided to propose a ban on ABLV from having a correspondence account in the United States due to money laundering concerns⁶⁹ , *and* Danske Bank admitted, after an investigation into 15 000 customers and around 9.5 million transactions linked to its Estonian branch had taken place, that major deficiencies in the bank's governance and control systems had made it possible to use its Estonian branch for suspicious transactions⁷⁰ ;

Amendment

113. Notes that during *2018* alone, *a number of* deplorable cases of money laundering through EU banks have been *revealed. Among others, in a settlement with the Netherlands' Public Prosecution Service*⁶⁸ ING Bank N.V. recently admitted serious shortcomings in the application of AML/CTF provisions, *failing to prevent accounts held by ING clients in the Netherlands from being used for criminal activities, including money laundering, for many years*; the United States Financial Crimes Enforcement Network (FinCEN) decided to propose a ban on ABLV from having a correspondence account in the United States due to money laundering concerns⁶⁹ . *ABLV Bank went into voluntary liquidation following determinations of 23 February 2018 by the ECB that the bank and its subsidiary ABLV Luxembourg were failing or likely to fail*^{70a}; Danske Bank admitted, after an investigation into 15 000 customers and around 9.5 million transactions linked to its Estonian branch had taken place, that major deficiencies in the bank's governance and control systems had made it possible to use its Estonian branch for suspicious transactions⁷⁰ ; *stresses,*

however, that the above financial institutions are just one part of the chain in the wider money-laundering schemes and should thus be seen in this context, as opposed to being viewed as the main culprits; further notes that the laundered money likely moved to and through other financial institutions within the EU;

⁶⁸ Netherlands' Public Prosecution Service, September 4 2018:
<https://www.om.nl/actueel/nieuwsberichten/@103952/ing-pays-775-million/>

⁶⁹ European Parliament, Directorate-General for Internal Policies, Economic Governance Support Unit, in-depth analysis entitled 'Money laundering - Recent cases from a EU banking supervisory perspective', April 2018, PE 614.496.

⁷⁰ Bruun & Hjejle: Report on the Non-Resident Portfolio at Danske Bank's Estonian Branch, Copenhagen, 19 September 2018.

⁶⁸ Netherlands' Public Prosecution Service, September 4 2018:
<https://www.om.nl/actueel/nieuwsberichten/@103952/ing-pays-775-million/>

⁶⁹ European Parliament, Directorate-General for Internal Policies, Economic Governance Support Unit, in-depth analysis entitled 'Money laundering - Recent cases from a EU banking supervisory perspective', April 2018, PE 614.496.

⁷⁰ Bruun & Hjejle: Report on the Non-Resident Portfolio at Danske Bank's Estonian Branch, Copenhagen, 19 September 2018.

70a

<https://www.bankingsupervision.europa.eu/press/pr/date/2018/html/ssm.pr180224.en>.

Or. en

Amendment 767 **Barbara Kappel**

Motion for a resolution **Paragraph 113**

Motion for a resolution

113. Notes that during the mandate of the TAX3 Committee alone, three **deplorable** cases of money laundering through EU banks have been disclosed: ING Bank N.V. recently admitted serious

Amendment

113. Notes that during the mandate of the TAX3 Committee alone, three **regrettable** cases of money laundering through EU banks have been disclosed: ING Bank N.V. recently

shortcomings in the application of AML/CTF provisions and agreed to pay EUR 775 million in a settlement with the Netherlands' Public Prosecution Service⁶⁸; ABLV Bank in Latvia went into voluntary liquidation after the United States Financial Crimes Enforcement Network (FinCEN) decided to propose a ban on ABLV from having a correspondence account in the United States due to money laundering concerns⁶⁹, and Danske Bank admitted, after an investigation into 15 000 customers and around 9.5 million transactions linked to its Estonian branch had taken place, that major deficiencies in the bank's governance and control systems had made it possible to use its Estonian branch for suspicious transactions⁷⁰;

⁶⁸ Netherlands' Public Prosecution Service, September 4 2018:
<https://www.om.nl/actueel/nieuwsberichten/@103952/ing-pays-775-million/>

⁶⁹ European Parliament, Directorate-General for Internal Policies, Economic Governance Support Unit, in-depth analysis entitled 'Money laundering - Recent cases from a EU banking supervisory perspective', April 2018, PE 614.496.

⁷⁰ Bruun & Hjejle: Report on the Non-Resident Portfolio at Danske Bank's Estonian Branch, Copenhagen, 19 September 2018.

admitted serious shortcomings in the application of AML/CTF provisions and agreed to pay EUR 775 million in a settlement with the Netherlands' Public Prosecution Service⁶⁸; ABLV Bank in Latvia went into voluntary liquidation after the United States Financial Crimes Enforcement Network (FinCEN) decided to propose a ban on ABLV from having a correspondence account in the United States due to money laundering concerns⁶⁹, and Danske Bank admitted, after an investigation into 15 000 customers and around 9.5 million transactions linked to its Estonian branch had taken place, that major deficiencies in the bank's governance and control systems had made it possible to use its Estonian branch for suspicious transactions⁷⁰;

⁶⁸ Netherlands' Public Prosecution Service, September 4 2018:
<https://www.om.nl/actueel/nieuwsberichten/@103952/ing-pays-775-million/>

⁶⁹ European Parliament, Directorate-General for Internal Policies, Economic Governance Support Unit, in-depth analysis entitled 'Money laundering - Recent cases from a EU banking supervisory perspective', April 2018, PE 614.496.

⁷⁰ Bruun & Hjejle: Report on the Non-Resident Portfolio at Danske Bank's Estonian Branch, Copenhagen, 19 September 2018.

Or. en

Amendment 768

Roberts Zile

Motion for a resolution

Paragraph 113 a (new)

Motion for a resolution

Amendment

113 a. Stresses that ML is a wider issue that cannot be pinpointed to just a few financial institutions in a given year; Regrets that more revelations of ML involving financial institutions in the EU may emerge;

Or. en

Amendment 769
Roberts Zīle

Motion for a resolution
Paragraph 113 b (new)

Motion for a resolution

Amendment

113 b. Stresses that ML is a systemic and persistent problem with a cross-border dimension which will not be addressed without effective and enforced legislative framework that helps prevent ML from taking place;

Or. en

Amendment 770
Alfred Sant

Motion for a resolution
Paragraph 114

Motion for a resolution

Amendment

114. Notes that in the case of Danske Bank, transactions worth upwards of EUR 200 billion flowed in and out of its Estonian branch⁷¹ without the bank having put in place adequate internal AML and KYC procedures, as subsequently admitted by the bank itself and confirmed by both the Estonian and Danish Financial

114. Notes that in the case of Danske Bank, transactions worth upwards of EUR 200 billion flowed in and out of its Estonian branch ***over a number of years not just for one or two years as for instance in the case of Pilatus bank*** without the bank having put in place adequate internal AML and KYC

Supervisory Authorities; considers that this failure shows a complete lack of responsibility on the part of both the bank and the competent national authorities; calls on the competent authorities to carry out urgent evaluations of the adequacy of AML and KYC procedures in all European banks to ensure proper enforcement of the Union's AML legislation;

procedures, as subsequently admitted by the bank itself and confirmed by both the Estonian and Danish Financial Supervisory Authorities; considers that this failure shows a complete lack of responsibility on the part of both the bank and the competent national authorities; calls on the competent authorities to carry out urgent evaluations of the adequacy of AML and KYC procedures in all European banks to ensure proper enforcement of the Union's AML legislation; *queries why Danske Bank and its supervisory authority have not yet been held up for systemic breaches of EU regulations as in the case of Pilatus bank;*

⁷¹ Ibid.

Or. en

Amendment 771 **Werner Langen**

Motion for a resolution **Paragraph 114**

Motion for a resolution

114. Notes that in the case of Danske Bank, transactions worth upwards of EUR **200** billion flowed in and out of its Estonian branch⁷¹ without the bank having put in place adequate internal AML and KYC procedures, as subsequently admitted by the bank itself and confirmed by both the Estonian and Danish Financial Supervisory Authorities; considers that this failure shows a complete lack of responsibility on the part of both the bank and the competent national authorities; calls on the competent authorities to carry out urgent evaluations of the adequacy of AML and KYC procedures in all European banks to ensure proper enforcement of the Union's AML legislation;

Amendment

114. Notes that in the case of Danske Bank, transactions worth upwards of EUR **250** billion flowed in and out of its Estonian branch⁷¹ without the bank having put in place adequate internal AML and KYC procedures, as subsequently admitted by the bank itself and confirmed by both the Estonian and Danish Financial Supervisory Authorities; considers that this failure shows a complete lack of responsibility on the part of both the bank and the competent national authorities; calls on the competent authorities to carry out urgent evaluations of the adequacy of AML and KYC procedures in all European banks to ensure proper enforcement of the Union's AML legislation;

⁷¹ Ibid.

⁷¹ *ibid.*

Or. de

Amendment 772
Gunnar Hökmark

Motion for a resolution
Paragraph 114 a (new)

Motion for a resolution

Amendment

114 a. Underlines that the magnitude of laundered money via banks, as in recent cases, is not only a matter of criminal activities, but constitutes a challenge to the European Union's Common Foreign and Security Policy as well as the security of open societies and market economies; underlines that the grey zone of criminal activities in Russia linked to the Russian regime and criminal investments in the EU poses a substantial and serious threat to democracies in Europe, by corruption and by financing activities aimed at destabilisation or, even worse, preparation for future conflicts;

Or. en

Amendment 773
Roberts Zile

Motion for a resolution
Paragraph 114 a (new)

Motion for a resolution

Amendment

114 a. Notes that in the case of ING Bank N.V. its clients in the Netherlands were able to use their bank accounts to launder hundreds of millions of euros, without bank having put in place adequate AML

and KYC procedures.

Or. en

Amendment 774

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 115 a (new)

Motion for a resolution

Amendment

115 a. Is concerned that illicit proceeds entering the European financial system in order to be laundered are further used to finance criminal activities posing threat to the security of Union citizens and/or creating distortions and unfair competitive disadvantages to law-abiding citizens and companies; calls on relevant national authorities to track the destinations of the transactions deemed suspicious by the 6200 customers of the Estonian branch of Danske Bank to confirm that money laundered have not been used for further criminal activity; calls on the relevant national authorities to duly cooperate in this matter as the chains of suspicious transactions are clearly cross-border;

Or. en

Amendment 775

Alfred Sant

Motion for a resolution

Paragraph 116

Motion for a resolution

Amendment

116. Highlights that the European Central Bank (ECB) has withdrawn the banking licence of Malta's Pilatus Bank

116. Highlights that the European Central Bank (ECB) has withdrawn the banking licence of Malta's Pilatus Bank

following the arrest in the United States of Ali Sadr Hashemi Nejad, Chairman of Pilatus Bank and its sole shareholder, on, among other things, charges of money laundering; stresses that the European banking Authority (EBA) concluded that the Maltese Financial Intelligence Analysis Unit had breached EU law because it had failed to conduct an effective supervision of Pilatus Bank due to, among other things, procedural deficiencies and lack of supervisory actions;

following the arrest in the United States of Ali Sadr Hashemi Nejad, Chairman of Pilatus Bank and its sole shareholder, on, among other things, charges of money laundering *with respect to sanctions applied by the US to Iran and Venezuela and following a request made by the Malta Financial Services Authority to do so, submitted in June 2018*; stresses that the European banking Authority (EBA) concluded that the Maltese Financial Intelligence Analysis Unit had breached EU law because it had failed to conduct an effective supervision of Pilatus Bank due to, among other things, procedural deficiencies and lack of supervisory actions; *expresses surprise that while the Maltese financial intelligence analysis unit was stigmatised by the EBA for lack of effective supervision over Pilatus bank, a relatively minor investment vehicle, a similar procedure was not followed with respect to the relevant supervisory and investigative authorities in the cases of ING bank, Danske Bank, Latvian ABLV, or Deutsche Bank, etc. where money laundering activities were much more important in value and volume, and of much longer standing*;

Or. en

Amendment 776
Roberta Metsola

Motion for a resolution
Paragraph 116

Motion for a resolution

116. Highlights that the European Central Bank (ECB) has withdrawn the banking licence of Malta's Pilatus Bank following the arrest in the United States of Ali Sadr Hashemi Nejad, Chairman of Pilatus Bank and its sole shareholder, on,

Amendment

116. Highlights that the European Central Bank (ECB) has withdrawn the banking licence of Malta's Pilatus Bank following the arrest in the United States of Ali Sadr Hashemi Nejad, Chairman of Pilatus Bank and its sole shareholder, on,

among other things, charges of money laundering; stresses that the European banking Authority (EBA) concluded that the Maltese Financial Intelligence Analysis Unit had breached EU law because it had failed to conduct an effective supervision of Pilatus Bank due to, among other things, procedural deficiencies and lack of supervisory actions;

among other things, charges of money laundering; stresses that the European banking Authority (EBA) concluded that the Maltese Financial Intelligence Analysis Unit had breached EU law because it had failed to conduct an effective supervision of Pilatus Bank due to, among other things, procedural deficiencies and lack of supervisory actions; ***notes that the Maltese authority managing Malta's cash-for-citizenship scheme, Identity Malta, included references to Pilatus Bank in its promotion of the cash-for-citizenship scheme;***

Or. en

Amendment 777
Monica Macovei

Motion for a resolution
Paragraph 116

Motion for a resolution

116. Highlights that the European Central Bank (ECB) has withdrawn the banking licence of Malta's Pilatus Bank following the arrest in the United States of Ali Sadr Hashemi Nejad, Chairman of Pilatus Bank and its sole shareholder, on, among other things, charges of money laundering; stresses that the European banking Authority (EBA) concluded that the Maltese Financial Intelligence Analysis Unit had breached EU law because it had failed to conduct an effective supervision of Pilatus Bank due to, among other things, procedural deficiencies and lack of supervisory actions;

Amendment

116. Highlights that the European Central Bank (ECB) has withdrawn the banking licence of Malta's Pilatus Bank following the arrest in the United States of Ali Sadr Hashemi Nejad, Chairman of Pilatus Bank and its sole shareholder, on, among other things, charges of money laundering; stresses that the European banking Authority (EBA) concluded that the Maltese Financial Intelligence Analysis Unit had breached EU law because it had failed to conduct an effective supervision of Pilatus Bank due to, among other things, procedural deficiencies and lack of supervisory actions; ***deplores the lack of independence of the Maltese FIAU; urges the Maltese authorities to immediately change the appointment procedure of the FIAU members, eliminating any political influence from the process, ensuring the independence and efficiency of the FIAU;***

Amendment 778
Gilles Lebreton, Nicolas Bay

Motion for a resolution
Paragraph 116 a (new)

Motion for a resolution

Amendment

116a. Regrets that the TAXE3 Committee did not have the time to devote more attention to specific cases of financial crime; draws attention, in this regard, to the case of the Kazakh oligarch Mukhtar Ablyazov, sentenced to life in prison in his country for murder and convicted of embezzling an estimated USD 7.5 billion in clients' deposits and pensions from Bank Turan Alem (BTA), of which he was chairman; notes, in this connection, that in the proceedings against him in the United Kingdom, where he first sought exile before fleeing to France, it was found that Mr Ablyazov made extensive use of opaque offshore structures to channel the embezzled funds as well as certain loans granted by EU credit institutions; notes that he was also able to operate under false identities, visibly and with the connivance of certain administrations; recalls that many building projects had to be stopped when the BTA financial support disappeared, as a direct result of the wrongdoing of Mr Ablyazov; notes that Mr Ablyazov has been convicted in the United Kingdom, France and Kazakhstan and is subject to an international arrest warrant issued by Ukraine and Russia; is surprised at the decision of the Council of State of 9 December 2016, given that all Mr Ablyazov's cassation appeals had been systematically rejected up until 5 October 2016; calls on the authorities of the Member States concerned to implement

the necessary legal remedies to ensure that the court decisions can be enforced and the sums recovered.

Or. fr

Amendment 779

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 116 a (new)

Motion for a resolution

Amendment

116 a. Regrets that no action were taken by EU institutions in relation to the ABLV Bank, in advance of those by the US Fin CEN; is concerned by what seems to be acknowledged by experts in this matter which observe that US standards are much stricter than European ones, that even when EU banks manage to apply EU rules, they are not sufficiently capable of applying US rules, and that the EU system seems to be guaranteed by the US one ^{1a}

^{1a} TAX3 Delegation to Riga (Latvia), 30-31 August 2018, MISSION REPORT

Or. en

Amendment 780

Dariusz Rosati

Motion for a resolution

Paragraph 116 a (new)

Motion for a resolution

Amendment

116 a. Underlines that various EU cases of money laundering, including the ING

Bank, ABLV Bank, Danske Bank as well as Deutsche Bank were linked to Russian capital and/or citizens; calls for more effective scrutiny of all suspicious transaction reports; stresses in this context the need for more actions by the Commission and better cooperation amongst Member States in the control of capital coming from Russia;

Or. en

Amendment 781
Esther de Lange

Motion for a resolution
Paragraph 116 a (new)

Motion for a resolution

Amendment

116 a. Is concerned about the increase of money laundering in the context of other forms of business activities, in particular the phenomenon of the so-called ‘flying money’ and ‘notorious streets’; stresses that a stronger coordination and cooperation between local and regional administrative and law enforcement authorities is necessary to address these issues in European cities;

Or. en

Amendment 782
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 116 a (new)

Motion for a resolution

Amendment

116 a. Is aware that the 500 euro note, the issuing of which has been abandoned

by the ECB, continues to be used for money laundering and criminal activities; notes that some Member States are considering banning it; recalls that for such a measure to be effective the ban needs to be extended to all countries where the euro is accepted as a currency;

Or. en

Amendment 783

David Casa

Motion for a resolution

Paragraph 116 a (new)

Motion for a resolution

Amendment

116 a. Notes that the financial advisers Nexia BT that allegedly planned to use Pilatus Bank for the purpose of money laundering and created the highly suspect financial structures exposed by the Panama Papers for Maltese PEPs continue to operate without consequence;

Or. en

Amendment 784

David Casa

Motion for a resolution

Paragraph 116 b (new)

Motion for a resolution

Amendment

116 b. Notes that Malta's FIAU has yet to take any action against Nexia BT as well as its managing partners Brian Tonna and Karl Cini whose breach of AML rules are well-documented and in the public domain, further notes that Brian Tonna and Karl Cini continue to hold their

accountancy warrants and that Karl Cini remains a member of the ACCA.

Or. en

Amendment 785

David Casa

Motion for a resolution

Paragraph 116 c (new)

Motion for a resolution

Amendment

116 c. Calls on Maltese authorities and bodies regulating and overseeing the accountancy profession to take appropriate action including the launching of investigative and disciplinary processes against Nexia BT, Brian Tonna and Karl Cini;

Or. en

Amendment 786

David Casa

Motion for a resolution

Paragraph 116 d (new)

Motion for a resolution

Amendment

116 d. Notes that Maltese PEPs Konrad Mizzi and Keith Schembri exposed by the Panama Papers and the reporting of the Daphne Project as being involved in international corruption and money laundering continue to hold their posts in the Maltese government and to escape justice;

Or. en

Amendment 787
David Casa

Motion for a resolution
Paragraph 116 e (new)

Motion for a resolution

Amendment

116 e. Notes that revelations concerning the ownership of the UAE-based company 17 Black provides further evidence of the involvement of Konrad Mizzi and Keith Schembri in international corruption and money laundering;

Or. en

Amendment 788
David Casa

Motion for a resolution
Paragraph 116 f (new)

Motion for a resolution

Amendment

116 f. Demands the dismissal of Maltese PEPs suspected of corruption and money laundering currently holding positions at the highest levels of the Maltese government and for efforts to obstruct justice to cease;

Or. en

Amendment 789
Alfred Sant

Motion for a resolution
Paragraph 117

Motion for a resolution

Amendment

117. Is aware that the current AML legal framework has so far consisted of directives and is based on minimum

117. Is aware that the current AML legal framework has so far consisted of directives and is based on minimum

harmonisation, which has led to different national supervisory and enforcement practices in the Member States; calls on the Commission to assess, in the context of a future revision of the AML legislation, in the required impact assessment, whether a regulation would be a more appropriate legal act than a directive; calls, in this context, for a swift transformation into a regulation of the AML legislation if the impact assessment so advises;

harmonisation, which has led to different national supervisory and enforcement practices in the Member States; calls on the Commission to assess, in the context of a future revision of the AML legislation, in the required impact assessment, whether a regulation would be a more appropriate legal act than a directive; calls, in this context, for a swift transformation into a regulation of the AML legislation if the impact assessment so advises ***but subject to a full understanding about how this should be done proportionately and with full awareness of the need to attract new direct investment by the smaller Member States, especially those having a peripheral status;***

Or. en

Amendment 790
Emil Radev

Motion for a resolution
Paragraph 117

Motion for a resolution

117. Is aware that the current AML legal framework has so far consisted of directives and is based on minimum harmonisation, which has led to different national supervisory and enforcement practices in the Member States; calls on the Commission to assess, in the context of a future revision of the AML legislation, in the required impact assessment, whether a regulation would be a more appropriate legal act than a directive; calls, in this context, for a swift transformation into a regulation of the AML legislation if the impact assessment so advises;

Amendment

117. Is aware that the current AML legal framework has so far consisted of directives and is based on minimum harmonisation, which has led to different national supervisory and enforcement practices in the Member States; calls on the Commission to assess, in the context of a future revision of the AML legislation ***and in the light of the remits established in the EU Treaties***, in the required impact assessment, whether a regulation would be a more appropriate legal act than a directive; calls, in this context, for a swift transformation into a regulation of the AML legislation if the impact assessment so advises;

Or. bg

Amendment 791

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 117

Motion for a resolution

117. Is aware that the current AML legal framework has so far consisted of directives and is based on minimum harmonisation, which has led to different national supervisory and enforcement practices in the Member States; calls on the Commission to assess, in the context of a future revision of the AML legislation, in the required impact assessment, whether a regulation would be a more appropriate legal act than a directive; calls, in this context, for a swift transformation into a regulation of the AML legislation if the impact assessment so advises;

Amendment

117. Is aware that the current AML legal framework has so far consisted of directives and is based on minimum harmonisation, which has led to different national supervisory and enforcement practices in the Member States; calls on the Commission to assess, in the context of a future revision of the AML legislation, in the required impact assessment, whether a regulation would be a more appropriate legal act than a directive; calls, in this context, for a swift transformation into a regulation of the AML legislation if the impact assessment so advises; ***calls on the Commission to make, in the meantime, full use of the instruments at hand to enforce AML legislation in the Member States, starting with formal opinions and ending with infringement procedures or to consider the legal tool of a regulation instead;***

Or. en

Amendment 792

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 117 a (new)

Motion for a resolution

Amendment

117 a. Calls on the Commission to take

into consideration the recommendations of the EPRS study on ‘Offshore activities and money laundering: recent findings and challenges’ from 2017^{1a}, and consider that in order to reach a harmonized anti-money laundering policy in Europe, it needs to be noted that European countries are too different to all comply in the same way, and therefore different groups of countries within the EU should be targeted differently and some be trained and supported by other Member States;

1a

[http://www.europarl.europa.eu/RegData/etudes/STUD/2017/595371/IPOL_STU\(2017\)595371_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/595371/IPOL_STU(2017)595371_EN.pdf)

Or. en

Amendment 793

Louis Michel

Motion for a resolution

Paragraph 117 a (new)

Motion for a resolution

Amendment

117a. Notes that the need to accelerate the fight against money laundering and terrorist financing requires a reform of the FATF in order to give it more legitimacy and representativeness and to improve global security; calls on the EU to support the ongoing reflection on the reform of this intergovernmental body with a view to strengthening its resources and its legitimacy.

Or. fr

Amendment 794

Tom Vandenkendelaere

Motion for a resolution
Paragraph 117 a (new)

Motion for a resolution

Amendment

117 a. Notes that a number of Member States already have in place restrictions on cash payments as a measure to combat money laundering and terrorist financing activities; notes that fragmentation and the divergent nature of these measures have the potential of interfering with the proper functioning of the internal market; thereby calls on the Commission to come up with a proposal on European restrictions on payments in cash;

Or. en

Amendment 795

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz

Motion for a resolution
Paragraph 117 a (new)

Motion for a resolution

Amendment

117 a. Believes that any AML institutional set-up needs to be crystal clear on the distribution of responsibilities between the EU and national levels and accompanied by the corresponding accountability requirements; considers that granting AML powers to an EU agency can only be done if appropriate human and financial means are allocated to it;

Or. en

Amendment 796

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé

on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 117 a (new)

Motion for a resolution

Amendment

117 a. Deplores cases such as the Russian Laundromat, the Danske Banks case, the ABLV case and the Azerbaijan Laundromat that have demonstrated how hundreds of billions of euros of dirty Russian money connected to Russian ruling elites and oligarchs have been laundered via EU banks and offshore jurisdictions;

Or. en

Amendment 797
Gunnar Hökmark

Motion for a resolution
Paragraph 117 a (new)

Motion for a resolution

Amendment

117 a. Calls for competent financial authorities to increase cooperation with each other and with relevant intelligence and security services; urges the Commission to propose legislative reforms in order to facilitate increased cooperation between banking authorities;

Or. en

Amendment 798

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 117 b (new)

Motion for a resolution

Amendment

117 b. *Calls on the Commission to assess the way in which derivatives can be used for money laundering, as ‘mirror trading’ can allow brokers to create multiple trades where it can conveniently locate washed funds^{1a}; calls on the Commission to investigate whether this has been the case in the exposed cum-ex and cum-cum scandals;*

^{1a} *EPRS (2017) ‘Offshore activities and money laundering: recent findings and challenges’. See [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/595371/IPOL_STU\(2017\)595371_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/595371/IPOL_STU(2017)595371_EN.pdf)*

Or. en

Amendment 799

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 117 b (new)

Motion for a resolution

Amendment

117 b. *Notes with concern that undetected flow of Russian money to Europe can create political, economic and security risks that have become clearly visible in cases such as the Salisbury attacks or the case of Cambridge Analytica and other interference in the democratic process in Europe;*

Or. en

Amendment 800

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 117 c (new)

Motion for a resolution

Amendment

117 c. Calls on the Commission and the Council to ensure that the issues of money laundering and illicit financial flows are given an adequate degree of attention in EU sanction programmes in order to cut oligarchs off from their funds; calls for an EU wide Magnitsky Act to freeze assets of human rights violators; considers that it is time to end the free flow of money from Russia to EU banks; calls on the European Commission to explore the option of reversing the burden of proof so that Russian-origin money is considered suspect until proven otherwise;

Or. en

Amendment 801

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz

Motion for a resolution
Paragraph 119

Motion for a resolution

Amendment

119. Calls for increased scrutiny and continuous supervision of the members of management boards and shareholders of credit institutions and investment firms in the EU, and stresses in particular the difficulty of revoking banking licences or equivalent specific authorisations;

deleted

Or. en

Amendment 802

Roberts Zile

Motion for a resolution
Paragraph 119

Motion for a resolution

119. Calls for increased scrutiny and ***continuous*** supervision of the members of management boards and shareholders of credit institutions and investment firms in the EU, and stresses in particular the difficulty of revoking banking licences or equivalent specific authorisations;

Amendment

119. Calls for increased scrutiny and supervision of ***non-resident deposit portfolios and the share within them originating from countries that potentially pose a security risk, the number of transactions in a given period as well as*** the members of management boards and shareholders of credit institutions and investment firms in the EU, and stresses in particular the difficulty of revoking banking licences or equivalent specific authorisations;

Or. en

Amendment 803
Anne Sander

Motion for a resolution
Paragraph 119

Motion for a resolution

119. Calls for increased scrutiny and continuous supervision of the members of management boards and shareholders of credit institutions and investment firms in the EU, and stresses in particular the difficulty of revoking banking licences or equivalent specific authorisations;

Amendment

119. Calls for ***the necessary*** increased scrutiny and continuous supervision of the members of management boards and shareholders of credit institutions and investment firms in the EU, and stresses in particular the difficulty of revoking banking licences or equivalent specific authorisations;

Or. fr

Amendment 804
Roberts Zile

Motion for a resolution
Paragraph 120

Motion for a resolution

120. Supports the work undertaken by the Joint Working Group comprising representatives of the Commission's Directorate-General for Justice and Consumers and its Directorate-General for Financial Stability, Financial Services and Capital Markets Union, the ECB, the European Supervisory Authorities (ESAs) and the Chair of the ESAs Joint Committee Anti-money Laundering Sub-committee, with a view to detecting current shortcomings and proposing measures to enable effective **coordination** and exchange of information among supervisory and enforcement agencies;

Amendment

120. Supports the work undertaken by the Joint Working Group comprising representatives of the Commission's Directorate-General for Justice and Consumers and its Directorate-General for Financial Stability, Financial Services and Capital Markets Union, the ECB, the European Supervisory Authorities (ESAs) and the Chair of the ESAs Joint Committee Anti-money Laundering Sub-committee, with a view to detecting current shortcomings and proposing measures to enable effective **cooperation** and exchange of information among supervisory and enforcement agencies;

Or. en

Amendment 805

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 121

Motion for a resolution

121. Concludes that the current level of coordination of anti-money laundering and combating the financing of terrorism (AML/CFT) supervision of financial institutions, particularly in AML/CFT situations with cross-border effects, is not sufficient to address current challenges in this sector and that the Union's ability to enforce coordinated AML rules and practices is currently inadequate;

Amendment

121. Concludes that the current level of coordination of anti-money laundering and combating the financing of terrorism (AML/CFT) supervision of financial institutions, particularly in AML/CFT situations with cross-border effects, is not sufficient to address current challenges in this sector and that the Union's ability to enforce coordinated AML rules and practices is currently inadequate;
acknowledges that smaller EU Member States have been targeted for money laundering as a result of their lack of capacity to police illegal flows adequately;

calls therefore for a new centralised system at EU level for AML/CFT supervision, with proper resources; calls on the Commission to develop specialized trainings for FIUs, particularly with respect to capacities in smaller Member States;

Or. en

Amendment 806

Peter Simon, Paul Tang, Doru-Claudian Frunzuliță, Evelyn Regner, Mady Delvaux, Elly Schlein, Dietmar Köster, Arndt Kohn, Olle Ludvigsson

Motion for a resolution

Paragraph 121 a (new)

Motion for a resolution

Amendment

121 a. Notes that the recent scandals affecting banks in Malta, Latvia, Estonia, the Netherlands, Germany and Denmark reveal the failure of supervision by national anti-money laundering authorities; highlights, at the same time, that ESAs have limited abilities to take a more substantial role in the anti-money laundering field due to tight resources coupled with a lack of appropriate powers;

Or. en

Amendment 807

Petr Ježek, Thierry Cornillet, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Wolf Klinz

Motion for a resolution

Paragraph 121 a (new)

Motion for a resolution

Amendment

121 a. Recalls that pursuant to AMLD5, the carrying out of AML/CFT investigations should be held at

centralised automated mechanisms for banks and payment accounts such as registers and data retrieval systems, as to guarantee the highest levels of data protection and privacy standards;

Or. en

Amendment 808

Peter Simon, Paul Tang, Evelyn Regner, Mady Delvaux, Hugues Bayet, Pervenche Berès, Dietmar Köster, Arndt Kohn, Olle Ludvigsson

Motion for a resolution Paragraph 122

Motion for a resolution

122. Calls for an assessment of long-term objectives leading to an enhanced AML/CFT framework as mentioned in the ‘Reflection Paper on possible elements of a Roadmap for seamless cooperation between Anti Money Laundering and Prudential Supervisors in the European Union’, such as the establishment at EU level of a mechanism to better coordinate the activities of AML/CFT supervisors of financial sector entities, notably in situations where AML/CFT concerns are likely to have cross-border effects, *and a possible centralisation of AML supervision via an existing or new Union body empowered to enforce harmonised rules and practices;*

Amendment

122. Calls for an assessment of long-term objectives leading to an enhanced AML/CFT framework as mentioned in the ‘Reflection Paper on possible elements of a Roadmap for seamless cooperation between Anti Money Laundering and Prudential Supervisors in the European Union’, such as the establishment at EU level of a mechanism to better coordinate the activities of AML/CFT supervisors of financial sector entities, notably in situations where AML/CFT concerns are likely to have cross-border effects; *calls therefore for a European Anti-money Laundering Authority with adequate supervision, investigation and enforcement powers of both financial and non-financial obliged entities under the AMLD;*

Or. en

Amendment 809 Othmar Karas

Motion for a resolution Paragraph 122

Motion for a resolution

122. Calls for an assessment of long-term objectives leading to an enhanced AML/CFT framework as mentioned in the ‘Reflection Paper on possible elements of a Roadmap for seamless cooperation between Anti Money Laundering and Prudential Supervisors in the European Union’, such as the establishment at EU level of a mechanism to better coordinate the activities of AML/CFT supervisors of financial sector entities, notably in situations where AML/CFT concerns are likely to have cross-border effects, and ***a possible centralisation of AML supervision via an existing or new Union body empowered to enforce harmonised rules and practices;***

Amendment

122. Calls for an assessment of long-term objectives leading to an enhanced AML/CFT framework as mentioned in the ‘Reflection Paper on possible elements of a Roadmap for seamless cooperation between Anti Money Laundering and Prudential Supervisors in the European Union’, such as the establishment at EU level of a mechanism to better coordinate the activities of AML/CFT supervisors of financial sector entities, notably in situations where AML/CFT concerns are likely to have cross-border effects, and ***the possibility of conferring specific tasks with regard to the prevention and combat of money-laundering and terrorist financing to an existing or new dedicated EU-wide agency.***

Or. en

Amendment 810

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 122

Motion for a resolution

122. Calls for an assessment of long-term objectives leading to an enhanced AML/CFT framework as mentioned in the ‘Reflection Paper on possible elements of a Roadmap for seamless cooperation between Anti Money Laundering and Prudential Supervisors in the European Union’, such as the establishment at EU level of a mechanism to better coordinate the activities of AML/CFT supervisors of financial sector entities, notably in situations where AML/CFT concerns are likely to have cross-border effects, and a

Amendment

122. Calls for an assessment of long-term objectives leading to an enhanced AML/CFT framework as mentioned in the ‘Reflection Paper on possible elements of a Roadmap for seamless cooperation between Anti Money Laundering and Prudential Supervisors in the European Union’, such as the establishment at EU level of a mechanism to better coordinate the activities of AML/CFT supervisors of financial sector entities, notably in situations where AML/CFT concerns are likely to have cross-border effects, and a

possible centralisation of AML supervision via an existing or new Union body empowered to enforce harmonised rules and practices;

possible centralisation of AML supervision via an existing or new Union body empowered to enforce harmonised rules and practices *in EU Member States*;

Or. en

Amendment 811

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution

Paragraph 122 a (new)

Motion for a resolution

Amendment

122 a. Calls for increased scrutiny and continuous supervision of the members of management boards and shareholders of credit institutions, investment firms and insurers in the EU, and stresses in particular the difficulty of revoking banking licences or equivalent specific authorisations;

Or. en

Amendment 812

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 123

Motion for a resolution

Amendment

123. Recalls that the ECB has the competence and responsibility for withdrawing authorisation from credit institutions for serious breaches of AML/CFT rules;

123. Recalls that the ECB has the competence and responsibility for withdrawing authorisation from credit institutions for serious breaches of AML/CFT rules; ***notes, however, that the ECB is fully dependent on national AML supervisors for information relating to such breaches detected by national authorities; calls thus on national AML***

authorities to make quality information available to the ECB in a timely manner so the ECB can properly perform its function; encourages in this connection the ECB and all relevant AML authorities to continue negotiations on a multilateral agreement on exchange of information that should be ready by 10 January 2019;

Or. en

Amendment 813

Maite Pagazaurtundúa Ruiz, Petr Ježek, Thierry Cornillet, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 123

Motion for a resolution

123. Recalls that the ECB has the competence and responsibility for withdrawing authorisation from credit institutions for serious breaches of AML/CFT rules;

Amendment

123. Recalls that the ECB has the competence and responsibility for withdrawing authorisation from credit institutions for serious breaches of AML/CFT rules; *considers, therefore, that it is essential to guarantee its independence and give it the competences within the framework of the Single Supervisory Mechanism (SSM) to guarantee its functions in AML/ CFT matters, ensuring that the competent authorities exchange confidential information with it.*

Or. en

Amendment 814

Othmar Karas

Motion for a resolution

Paragraph 124

Motion for a resolution

124. Stresses that ESAs, and in

Amendment

124. Stresses that ESAs, and in

particular the EBA, should be *provided with sufficient resource capacity to carry out their oversight functions and improve AML supervision*;

particular the EBA, should be *properly and adequately resourced and staffed to effectively contribute to the consistent, efficient and effective prevention of the use of the financial system for the purposes of money-laundering and terrorist financing, within its respective competences*.

Or. en

Amendment 815

Roberts Zile

Motion for a resolution

Paragraph 124

Motion for a resolution

124. Stresses that ESAs, and in particular the EBA, should be provided with sufficient resource capacity to carry out their oversight functions and improve AML supervision;

Amendment

124. Stresses that ESAs, and in particular the EBA, should be provided with sufficient *financial and administrative* resource capacity to carry out their oversight functions and improve AML supervision; *notes, however, the continued and increased importance the national supervisors*;

Or. en

Amendment 816

Maite Pagazaurtundúa Ruiz, Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Louis Michel

Motion for a resolution

Paragraph 124

Motion for a resolution

124. Stresses that ESAs, and in particular the EBA, should be provided with sufficient resource capacity to carry out their oversight functions and improve AML supervision;

Amendment

124. Stresses that ESAs, and in particular the EBA, *must urgently* should be provided with sufficient resource capacity to carry out their oversight functions and improve AML supervision *in*

order to respond to the expectations of Europe's tax payers; points out that according to the PANA report the EBA has only 0.8 of an employee in charge of this issue;

Or. en

Amendment 817

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 124

Motion for a resolution

124. Stresses that ESAs, and in particular the EBA, should be provided with sufficient resource capacity to carry out their oversight functions and improve AML supervision;

Amendment

124. Stresses that ESAs, and in particular the EBA, should be provided with sufficient resource capacity to carry out their oversight functions and improve AML supervision; *notes the recommendation to the Maltese FIAU of the EBA pointing to uncertainties in the current banking legislation preventing the EBA from taking further actions to effectively enforce the Union law and calls on Member States to swiftly transpose the recently adopted changes to the Capital Requirements Directive into national law;*

Or. en

Amendment 818 Anne Sander

Motion for a resolution Paragraph 124

Motion for a resolution

124. Stresses that ESAs, and in particular the EBA, should be provided

Amendment

124. Stresses that ESAs, and in particular the EBA, should be provided

with sufficient resource capacity to carry out their oversight functions and improve AML supervision;

with sufficient resource capacity to carry out their oversight functions and improve AML supervision, *in particular the risk assessment of national AML supervisors and the enhanced anti-money laundering peer reviews by the recent amendments to the Authority's founding Regulation [subject to their forthcoming adoption]; calls for greater publicity for the peer reviews conducted by AML supervisors within the EBA framework, and in particular for systematic information to be provided to Parliament and the Council in the event of a serious deficiency; calls for priority to be given to harmonising the supervisory practices of the different national AML authorities;*

Or. fr

Amendment 819
Thierry Cornillet

Motion for a resolution
Paragraph 124 a (new)

Motion for a resolution

Amendment

124a. calls for greater publicity for the peer reviews conducted by AML supervisors within the European Banking Authority framework, and for information to be provided systematically to Parliament and the Council, particularly in the event of a serious deficiency;

Or. fr

Amendment 820
Roberts Zile

Motion for a resolution
Paragraph 124 a (new)

Motion for a resolution

Amendment

124 a. Stresses that prudential and anti-money laundering supervision cannot be treated as separate;

Or. en

Amendment 821
Roberts Zile

Motion for a resolution
Paragraph 124 b (new)

Motion for a resolution

Amendment

124 b. Highlights that in order to fight effectively against money laundering activities, increased and productive cooperation between national supervisors and the Member States' financial intelligence units (FIUs) is key;

Or. en

Amendment 822
Barbara Kappel

Motion for a resolution
Paragraph 125

Motion for a resolution

Amendment

125. ***Welcomes*** the Commission communication of 12 September 2018 on strengthening the Union framework for prudential and anti-money laundering supervision for financial institutions (COM(2018)0645) and the proposal it contains on the ESAs' review to strengthen supervisory convergence;

125. ***Takes note of*** the Commission communication of 12 September 2018 on strengthening the Union framework for prudential and anti-money laundering supervision for financial institutions (COM(2018)0645) and the proposal it contains on the ESAs' review to strengthen supervisory convergence;

Or. en

Amendment 823
Othmar Karas

Motion for a resolution
Paragraph 125

Motion for a resolution

125. Welcomes the Commission communication of 12 September 2018 on strengthening the Union framework for prudential and anti-money laundering supervision for financial institutions (COM(2018)0645) and the proposal it contains on the ESAs' review to strengthen supervisory convergence;

Amendment

125. Welcomes the Commission communication of 12 September 2018 on strengthening the Union framework for prudential and anti-money laundering supervision for financial institutions (COM(2018)0645) and the **amending** proposal it contains on the ESAs' review to strengthen supervisory convergence; ***recalls that EBA should take a leading, coordinating and monitoring role at Union level to effectively protect the financial system from money-laundering and terrorist financing risks, given the consequences for financial stability which may stem from abuses of the financial sector for money-laundering or terrorist financing purposes, considering that it is in the banking sector that money-laundering and terrorist financing risks are most likely to have systemic impact, as well as building on the experience already gained by EBA in protecting the banking sector from such abuses as an Authority with oversight over all Member States.***

Or. en

Amendment 824

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 125 a (new)

Motion for a resolution

Amendment

125 a. Recalls the request made by the European Parliament resolution of 29 November 2018 on the cum-ex scandal, on ESMA and EBA to assess potential threats to the integrity of financial markets and to national budgets; to establish the nature and magnitude of actors in these schemes; to assess whether there were breaches of either national or Union law; to assess the actions taken by financial supervisors in Member States; and to make appropriate recommendations for reform and for action to the competent authorities concerned;

Or. en

Amendment 825

Peter Simon, Pervenche Berès, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Doru-Claudian Frunzuliță, Hugues Bayet, Elly Schlein, Dietmar Köster, Olle Ludvigsson

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

Motion for a resolution

Amendment

125 a. Notes the concerns expressed by the EBA with regards to the implementation of the Directive 2013/36/EU on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms^{1a}; welcomes the suggestions made by the EBA to tackle the deficiencies caused by the current Union legal framework;

^{1a}

<https://www.eba.europa.eu/documents/10180/2101654/Letter+to+Tiina+Astola+on+the+request+to+investigate+a+possible+B>

Or. en

Amendment 826
Roberts Zile

Motion for a resolution
Subheading 5.2

Motion for a resolution

Amendment

Cooperation *between* financial intelligence
units (FIUs)

Cooperation *and role of* financial
intelligence units (FIUs)

Or. en

Amendment 827
**Peter Simon, Doru-Claudian Frunzulică, Evelyn Regner, Mady Delvaux, Dietmar
Köster, Arndt Kohn, Olle Ludvigsson**

Motion for a resolution
Subheading 5.2

Motion for a resolution

Amendment

Cooperation between financial intelligence
units (FIUs)

Cooperation between financial intelligence
units (FIUs) *and law enforcement*

Or. en

Amendment 828
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 126

Motion for a resolution

Amendment

126. Recalls that pursuant to AMLD5 Member States are obliged to set up automated centralised mechanisms enabling swift identification of holders of bank and payment accounts, and to ensure that any FIU is able to provide information held in those centralised mechanisms to any other FIU in a timely manner; calls on the Member States to speed up the establishment of these mechanisms so that Member States' FIUs are able to cooperate effectively with each other in order to detect and counteract money-laundering activities;

126. Recalls that pursuant to AMLD5 Member States are obliged to set up automated centralised mechanisms enabling swift identification of holders of bank and payment accounts, and to ensure that any FIU is able to provide information held in those centralised mechanisms to any other FIU in a timely manner; calls on the Member States to speed up the establishment of these mechanisms so that Member States' FIUs are able to cooperate effectively with each other in order to detect and counteract money-laundering activities; ***recalls that EU FIUs are strongly encouraged to use the FIU.net system; highlights that information sharing between FIUs and Law Enforcement Agencies, including with Europol, should be improved;***

Or. en

Amendment 829
Roberta Metsola

Motion for a resolution
Paragraph 126

Motion for a resolution

126. Recalls that pursuant to AMLD5 Member States are obliged to set up automated centralised mechanisms enabling swift identification of holders of bank and payment accounts, and to ensure that any FIU is able to provide information held in those centralised mechanisms to any other FIU in a timely manner; calls on the Member States to speed up the establishment of these mechanisms so that Member States' FIUs are able to cooperate effectively with each other in order to detect and counteract money-laundering activities;

Amendment

126. Recalls that pursuant to AMLD5 Member States are obliged to set up automated centralised mechanisms enabling swift identification of holders of bank and payment accounts, and to ensure that any FIU is able to provide information held in those centralised mechanisms to any other FIU in a timely manner; calls on the Member States to speed up the establishment of these mechanisms so that Member States' FIUs are able to cooperate effectively with each other in order to detect and counteract money-laundering activities; ***notes that EU FIUs can cooperate in their fight against money laundering and the financing of terrorism***

by using the FIU.net system; calls for more measures and systems to be adopted in order to facilitate and strengthen such cooperation;

Or. en

Amendment 830
Tom Vandenkendelaere

Motion for a resolution
Paragraph 126

Motion for a resolution

126. Recalls that pursuant to AMLD5 Member States are obliged to set up automated centralised mechanisms enabling swift identification of holders of bank and payment accounts, and to ensure that any FIU is able to provide information held in those centralised mechanisms to any other FIU in a timely manner; calls on the Member States to speed up the establishment of these mechanisms so that Member States' FIUs are able to cooperate effectively with each other in order to detect and counteract money-laundering activities;

Amendment

126. Recalls that pursuant to AMLD5 Member States are obliged to set up automated centralised mechanisms enabling swift identification of holders of bank and payment accounts, and to ensure that any FIU is able to provide information held in those centralised mechanisms to any other FIU in a timely manner; calls on the Member States to speed up the establishment of these mechanisms so that Member States' FIUs *and competent authorities* are able to cooperate effectively with each other in order to detect and counteract money-laundering activities; *calls on Member States to intensify cooperation between Financial Intelligence Units (FIUs) through FIU.net, thereby improving transparency, administrative cooperation and coordination and information exchange;*

Or. en

Amendment 831
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 126 a (new)

Motion for a resolution

Amendment

126 a. Recalls that EU FIUs are strongly encouraged to use the FIU.net system; highlights that information sharing between FIUs and LEAs, including with Europol, should be improved;

Or. en

Amendment 832

Ramón Jáuregui Atondo, Peter Simon

Motion for a resolution

Paragraph 126 a (new)

Motion for a resolution

Amendment

126 a. Recalls that EU FIUs are strongly encouraged to use the FIU.net system and highlights that information sharing between FIUs and LEAs, including with Europol, should be improved;

Or. en

Amendment 833

Peter Simon, Mady Delvaux, Doru-Claudian Frunzulică, Evelyn Regner, Dietmar Köster, Arndt Kohn, Olle Ludvigsson

Motion for a resolution

Paragraph 126 a (new)

Motion for a resolution

Amendment

126 a. Highlights that the fight against money laundering and tax evasion also requires good cooperation between FIUs and customs authorities;

Or. en

Amendment 834
Monica Macovei

Motion for a resolution
Paragraph 126 a (new)

Motion for a resolution

Amendment

126 a. Recalls that EU FIUs are strongly encouraged to use the FIU.net system;

Or. en

Amendment 835
José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution
Paragraph 126 a (new)

Motion for a resolution

Amendment

126 a. Recalls that EU FIUs are strongly encouraged to use the FIU.net system;

Or. en

Amendment 836
Petr Ježek, Wolf Klinz, Thierry Cornillet, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution
Paragraph 126 a (new)

Motion for a resolution

Amendment

126 a. Calls on Member States to establish information sharing arrangements between public authorities, law enforcement and specific private sector stakeholders, such as data providers and credit institutions, who hold relevant financial information relating to financing of terrorism;

Amendment 837
Monica Macovei

Motion for a resolution
Paragraph 126 b (new)

Motion for a resolution

Amendment

126 b. Highlights that information sharing between FIUs and LEAs, including with Europol, is vital and should be rapidly enhanced;

Or. en

Amendment 838
José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution
Paragraph 126 b (new)

Motion for a resolution

Amendment

126 b. Highlights that information sharing between FIUs and LEAs, including with Europol, should be improved;

Or. en

Amendment 839
Alfred Sant

Motion for a resolution
Paragraph 127

Motion for a resolution

Amendment

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only

between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; calls on the Commission to engage actively with Member States to find mechanisms to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of personal data;

between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; calls on the Commission to engage actively with Member States to find mechanisms to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); ***recommends that in all such initiatives, top priority be given to the tracking of illegal financial flows organised and powered by organised crime***; considers that in any resulting agreement proper consideration should be given to the protection of personal data;

Or. en

Amendment 840 **Thierry Cornillet**

Motion for a resolution **Paragraph 127**

Motion for a resolution

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; calls on the Commission to engage actively with Member States to find mechanisms to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of

Amendment

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; calls on the Commission to engage actively with Member States to find mechanisms to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; ***notes that the Egmont Group, which brings together 159 FIUs, aims to strengthen their operational cooperation by encouraging the continuation and implementation of numerous projects; calls on the Commission to produce its assessment, as***

personal data;

provided for under the revised Anti-Money Laundering Directive (Article 65(2)), of the framework for FIUs' cooperation with third countries and obstacles to cooperation between FIUs in the Union, and the opportunities for improving it; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of personal data;

Or. fr

Amendment 841
Anne Sander

Motion for a resolution
Paragraph 127

Motion for a resolution

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; calls on the Commission to engage actively with Member States to find mechanisms to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of personal data;

Amendment

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; ***notes that the Egmont Group, bringing together 159 FIUs, enhances its operational cooperation by encouraging the continuation and implementation of numerous projects; urges the Commission to produce its assessment, as provided for under the revised Anti-Money Laundering Directive (Article 65(2)), of the framework for FIUs' cooperation with third countries and obstacles and opportunities to enhance cooperation between FIUs in the Union;*** calls on the Commission to engage actively with Member States to find mechanisms to improve and enhance the cooperation of Member States' FIUs with

the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of personal data;

Or. fr

Amendment 842

Emil Radev

Motion for a resolution

Paragraph 127

Motion for a resolution

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; ***calls on the Commission to engage actively with Member States to find mechanisms*** to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of personal data;

Amendment

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; ***recalls the European Commission's obligation under the Fifth Anti-Money Laundering Directive in respect of possibilities*** to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of personal data;

Or. bg

Amendment 843

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 127

Motion for a resolution

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; calls on the Commission to engage actively with Member States to find mechanisms to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of personal data;

Amendment

127. Highlights that in order to fight effectively against money laundering activities, cooperation is essential not only between Member States' FIUs but also between Member States' FIUs and the FIUs of third countries; calls on the Commission to engage actively with Member States to find mechanisms to improve and enhance the cooperation of Member States' FIUs with the FIUs of third countries; calls on the Commission to take opportune action in this regard at the relevant international forums, such as the OECD and the Financial Action Task Force (FATF); considers that in any resulting agreement proper consideration should be given to the protection of personal data ***in accordance with Directive (EU) 2016/680***;

Or. en

Amendment 844
Luděk Niedermayer

Motion for a resolution
Paragraph 127 a (new)

Motion for a resolution

Amendment

127 a. Stresses the benefits of developing Public and Private Partnerships (PPPs); highlights the existence and positive results of the Europol Financial Intelligence Public Private Partnership, promoting the sharing of strategic and tactical information amongst banks, FIUs, LEAs and national regulators across countries;

Amendment 845
Roberts Zile

Motion for a resolution
Paragraph 127 a (new)

Motion for a resolution

Amendment

127 a. Stresses that in order to help fight effectively against money laundering activities, adequate financial and administrative capacity of the Member States' FIUs is of vital importance;

Or. en

Amendment 846
Monica Macovei

Motion for a resolution
Paragraph 128

Motion for a resolution

Amendment

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to ***explore mechanisms to*** set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension;

128. Points out that the non-standardisation of suspicious transaction report formats ***and non-standardisation of suspicious transaction report thresholds*** among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to ***immediately*** set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension ***and to standardise suspicious transaction thresholds***

Or. en

Amendment 847

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 128

Motion for a resolution

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension;

Amendment

128. Points out that the non-standardisation of suspicious transaction report formats ***and non-standardisation of suspicious transaction report thresholds*** among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension; ***and to reflect on the standardisation of suspicious transaction thresholds;***

Or. en

Amendment 848

Ramón Jáuregui Atondo, Peter Simon

Motion for a resolution

Paragraph 128

Motion for a resolution

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of

Amendment

128. Points out that the non-standardisation of suspicious transaction report formats ***and non-standardisation of suspicious transaction report thresholds*** among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for

information between FIUs in cases with a cross-border dimension;

obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension ***and to reflect on the standardisation of suspicious transaction thresholds***;

Or. en

Amendment 849

José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 128

Motion for a resolution

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension;

Amendment

128. Points out that the non-standardisation of suspicious transaction report formats ***and non-standardisation of suspicious transaction report thresholds*** among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension ***and to reflect on the standardisation of suspicious transaction thresholds***;

Or. en

Amendment 850

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 128

Motion for a resolution

128. Points out that the non-

Amendment

128. Points out that the non-

standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension;

standardisation of suspicious transaction report formats *and non-standardisation of suspicious transaction report thresholds* among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension *and to reflect on the standardisation of suspicious transaction thresholds*

Or. en

Amendment 851

Petr Ježek, Thierry Cornillet, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution Paragraph 128

Motion for a resolution

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to *explore mechanisms to* set up *standardised* reporting formats for obliged entities in order to facilitate *the exchange* of information between FIUs in cases with a cross-border dimension;

Amendment

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to set up *an EU benchmarking system as a tool to standardise the* reporting formats for obliged entities in order to facilitate *and enhance the processing and exchanging* of information between FIUs in cases with a cross-border dimension;

Or. en

Amendment 852 Anne Sander

Motion for a resolution
Paragraph 128

Motion for a resolution

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension;

Amendment

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore, ***with support from the European Banking Authority (EBA)***, mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension;

Or. fr

Amendment 853
Emil Radev

Motion for a resolution
Paragraph 128

Motion for a resolution

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension;

Amendment

128. Points out that the non-standardisation of suspicious transaction report formats among Member States and with respect to the different obliged entities leads to difficulties in the processing and exchange of information between FIUs; calls on the Commission to explore mechanisms to set up standardised reporting formats ***containing a common minimum set of the mandatory information and data to be collected*** for obliged entities in order to facilitate the exchange of information between FIUs in cases with a cross-border dimension;

Or. bg

Amendment 854

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 128 a (new)

Motion for a resolution

Amendment

128 a. (new) Calls on the Commission to explore the possibility to set up automated decentralized database of suspicious transactions reports that would allow Member States' FIUs to look up transactions and their initiators and receivers repeatedly reported as suspicious in different Member States;

Or. en

Amendment 855

Petr Ježek, Wolf Klinz, Thierry Cornillet, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution

Paragraph 129

Motion for a resolution

Amendment

129. Encourages the competent authorities and FIUs to engage with financial institutions and other obliged entities to enhance suspicious activity reporting, ensuring that FIUs receive more useful, focused and complete information to properly perform their duties, while at the same time ensuring compliance with the General Data Protection Regulation;

129. Encourages the competent authorities and FIUs to engage with financial institutions and other obliged entities to enhance suspicious activity reporting, ensuring that FIUs receive more useful, focused and complete information to properly perform their duties, ***which could include better information exchange between both the private and public sector***, while at the same time ensuring compliance with the General Data Protection Regulation; ***calls on the European Data Protection Board(EDPB) to provide further clarification to market operators processing personal data as part of their due diligence obligations so as to***

enable them to comply with the EU's General Data Protection Regulation (GDPR);

Or. en

Amendment 856
Roberts Zile

Motion for a resolution
Paragraph 129

Motion for a resolution

129. Encourages the competent authorities and FIUs to engage with financial institutions and other obliged entities to enhance suspicious activity reporting, *ensuring* that FIUs receive more useful, focused and complete information to properly perform their duties, while at the same time ensuring compliance with the General Data Protection Regulation;

Amendment

129. Encourages the competent authorities and FIUs to engage with financial institutions and other obliged entities to enhance suspicious activity reporting *and reduce defensive reporting, thus helping to ensure* that FIUs receive more useful, focused and complete information to properly perform their duties, while at the same time ensuring compliance with the General Data Protection Regulation;

Or. en

Amendment 857
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 129 a (new)

Motion for a resolution

Amendment

129 a. Considers the established swift information exchange by the Financial Crimes Enforcement Network (FinCEN) of the United States Department of the Treasury as a model for the EU and calls on the Commission to put forward a legislative proposal to set up a European

Financial Intelligence Unit (EFIU) to facilitate coordination, including the exchange of information between FIUs within the Union; considers that this EFIU shall coordinate, assist and support Member States FIUs in cross-border cases, shall lend support to those Member States especially in maintaining and developing the technical infrastructure for ensuring the exchange of information, assisting them in joint analysis of cross-border cases and strategic analysis, and shall coordinate the work of Member States FIUs for cross-border cases; requires the Commission to provide the EFIU with adequate financial, human and technical resources in order to fulfil its tasks;

Or. en

Amendment 858

Peter Simon, Pervenche Berès, Doru-Claudian Frunzuliță, Evelyn Regner, Mady Delvaux, Hugues Bayet, Dietmar Köster, Arndt Kohn, Virginie Rozière

**Motion for a resolution
Paragraph 129 a (new)**

Motion for a resolution

Amendment

129 a. Notes the Commission's assessment of the framework for FIUs' cooperation with third countries and obstacles and opportunities to enhance cooperation between FIUs in the Union including the possibility of establishing an EU level coordination and support mechanism; recalls that according to the AMLD5 this assessment should be ready by 1 June 2019; asks the Commission to consider this opportunity to make a legislative proposal for a EU Financial Intelligence Unit, creating a hub for joint investigative work and coordination, with its own remit of autonomy and investigatory competences on cross border financial criminality, and an early

warning mechanism;

Or. en

Amendment 859

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 129 a (new)

Motion for a resolution

Amendment

129 a. (new) Awaits the Commission's assessment of the framework for FIUs' cooperation with third countries and obstacles and opportunities to enhance cooperation between FIUs in the Union including the possibility of establishing an EU level coordination and support mechanism; recalls that according to the AMLD5 this assessment should be ready by 1 June 2019;

Or. en

Amendment 860

Tom Vandenkendelaere

Motion for a resolution

Paragraph 129 a (new)

Motion for a resolution

Amendment

129 a. Stresses the importance of timely information in order to investigate serious crimes, disrupt criminal activities, stop terrorist plots, and detect and freeze proceeds of crime; highlights that many investigations come to a dead end because of failure to secure timely, accurate and comprehensive access to the relevant financial data;

Or. en

Amendment 861

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 129 a (new)

Motion for a resolution

Amendment

129 a. Calls for the Commission to report on the status quo and improvements in EU Member States FIUs in relation to dissemination, exchange and processing of information, following the PANA Recommendations and the mapping report carried out by the EU FIUs Platform ^{1a}

^{1a} European Parliament recommendation of 13 December 2017 to the Council and the Commission following the inquiry into money laundering, tax avoidance and tax evasion (Texts adopted, P8_TA-(2017)0491).

Or. en

Amendment 862

Roberts Zile

Motion for a resolution

Paragraph 129 a (new)

Motion for a resolution

Amendment

129 a. Notes that while some Member States are members of FATF, others are members of MONEYVAL which may lead to double standards; considers that all EU Member States should be members of FATF;

Amendment 863

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Doru-Claudian Frunzulică, Hugues Bayet, Dietmar Köster

Motion for a resolution

Paragraph 129 b (new)

Motion for a resolution

Amendment

129 b. Calls on the Commission to draw up a report assessing the necessity of uniformisation or harmonisation of the organisational status conferred to FIUs in Member States, to ensure better cooperation and exchange of information, without interfering with their independence;

Or. en

Amendment 864

Peter Simon, Evelyn Regner, Doru-Claudian Frunzulică, Ramón Jáuregui Atondo, Mady Delvaux, Dietmar Köster, Arndt Kohn, Virginie Rozière

Motion for a resolution

Paragraph 129 c (new)

Motion for a resolution

Amendment

129 c. Calls on the Commission to propose legislation for the creation of a European Financial Police within the framework of Europol, with its own autonomous investigatory competence, based on the European legal framework to tackle cross-border tax fraud, money laundering, financing of terrorism and predicate offences;

Or. en

Amendment 865

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 130

Motion for a resolution

130. Welcomes the fact that AMLD5 has broadened the list of obliged entities to include providers engaged in exchange services between virtual currencies and fiat currencies, custodian wallet providers, art traders and free ports;

Amendment

130. Welcomes the fact that AMLD5 has broadened the list of obliged entities to include providers engaged in exchange services between virtual currencies and fiat currencies, custodian wallet providers, art traders and free ports; ***calls on the Commission to further broaden the list of obliged entities to include agents and service providers engaged in the trade of citizenship and residency or acting as advisors in residence and citizenship planning;***

Or. en

Amendment 866

Monica Macovei

Motion for a resolution

Paragraph 130

Motion for a resolution

130. Welcomes the fact that AMLD5 has broadened the list of obliged entities to include providers engaged in exchange services between virtual currencies and fiat currencies, custodian wallet providers, art traders and free ports;

Amendment

130. Welcomes the fact that AMLD5 has broadened the list of obliged entities to include providers engaged in exchange services between virtual currencies and fiat currencies, custodian wallet providers, art traders and free ports; ***calls on the Commission to further broaden the list of obliged entities to include agents and service providers engaged in the trade of citizenship and residency or acting as advisors in residence and citizenship planning;***

Amendment 867
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 130

Motion for a resolution

130. Welcomes the fact that AMLD5 has broadened the list of obliged entities to include providers engaged in exchange services between virtual currencies and fiat currencies, custodian wallet providers, art traders and free ports;

Amendment

130. Welcomes the fact that AMLD5 has broadened the list of obliged entities to include providers engaged in exchange services between virtual currencies and fiat currencies, custodian wallet providers, art traders and free ports; ***calls on the Commission to extend the list of obliged entities to operators and service providers involved in trade in citizenship or residence permits or acting as advisers in this field;***

Amendment 868
Tom Vandenkendelaere

Motion for a resolution
Paragraph 130

Motion for a resolution

130. Welcomes the fact that AMLD5 has broadened the list of obliged entities to include providers engaged in exchange services between virtual currencies and fiat currencies, custodian wallet providers, art traders and free ports;

Amendment

130. Welcomes the fact that AMLD5 has broadened the list of obliged entities to include providers engaged in exchange services between virtual currencies and fiat currencies, custodian wallet providers, art traders and free ports; ***urges the Commission to closely follow-up on relevant crypto players that are currently not caught by AMLD5, and to expand the list of obliged entities when required;***

Amendment 869
Emil Radev

Motion for a resolution
Paragraph 130 a (new)

Motion for a resolution

Amendment

130a. Calls on the Commission, in the forthcoming review of the Anti-Money Laundering and Terrorist Financing Directive, to include on the list of obliged entities service providers in the field of transactions involving exchanges of one or more virtual currencies;

Or. bg

Amendment 870
Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Doru-Claudian Frunzulică, Elly Schlein, Dietmar Köster, Olle Ludvigsson

Motion for a resolution
Paragraph 131 a (new)

Motion for a resolution

Amendment

131 a. Takes note of the repeated calls from obliged entities, namely financial institutions, for proper channels of enhanced dialogue, communication and exchange of information between private bodies and public authorities, on one hand, and among obliged entities themselves, on the other, to provide less fragmented information to FIUs; calls on the Commission to draw up guidelines in accordance with the AMLD5, for Member States to implement at national level in this regard, namely using the mechanisms provided in the General Data Protection Regulation for secure and lawful exchange of data;

Amendment 871

Petr Ježek, Thierry Cornillet, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution

Paragraph 131 a (new)

Motion for a resolution

Amendment

131 a. Calls for the harmonisation of CDD at EU level, in particular, enhanced checks and systematic reporting shall be carried by obliged entities when performing CDD relating to business relationships or transactions involving countries identified by the EU Commission as ‘high-risk third countries’; calls for provisions to be made for penalties in the event of negligence or conflict of interests in cases of outsourcing;

Or. en

Amendment 872

Thierry Cornillet

Motion for a resolution

Paragraph 131 a (new)

Motion for a resolution

Amendment

131a. Reiterates its call for an assessment by the Commission of the consequences of money laundering and tax crimes involving e-gaming activities; considers such an assessment to be a priority;

Or. fr

Amendment 873
Emil Radev

Motion for a resolution
Paragraph 133

Motion for a resolution

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable *time* whether it is working properly *and whether it should be supplemented by the establishment of an EU public register of beneficial ownership*;

Amendment

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess, within a reasonable *timeframe*, whether it is working properly;

Or. bg

Amendment 874
Roberta Metsola

Motion for a resolution
Paragraph 133

Motion for a resolution

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges

Amendment

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges

Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly *and whether it should be supplemented by the establishment of an EU public register of beneficial ownership*;

Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly, *and if it is not the case, to propose ways how such deficiencies can be effectively addressed*;

Or. en

Amendment 875

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 133**

Motion for a resolution

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

Amendment

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership *of companies* is accessible in all cases to any member of the general public; *deplores that the information on beneficial ownership of trusts is, as a general rule, subject to legitimate interest and calls, therefore, on Member States to make use of the option in AMLD5 to grant open access also to information on trusts, and calls on the Commission to put forward a legislative proposal to amend AMLD5 to make open access to information of trusts compulsory*; stresses that the

interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership

Or. en

Amendment 876
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 133

Motion for a resolution

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

Amendment

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; ***calls on the Member States to establish freely accessible and transparent registers***; stresses that the interconnection of registers should be ensured by the Commission; ***calls on the Commission to formulate and adopt technical guidelines to promote uniform formatting, interoperability and interconnection of Member States' registers***; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

Amendment 877

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 133

Motion for a resolution

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

Amendment

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; ***calls on Member States to establish freely accessible and open data registers***; stresses that the interconnection of registers should be ensured by the Commission; ***calls on the Commission to develop and issue technical guidelines to facilitate convergence of format, interoperability and interconnection of Member States' registers*** considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

Amendment 878

Monica Macovei

Motion for a resolution

Paragraph 133

Motion for a resolution

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

Amendment

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; ***calls on Member States to establish freely accessible and open data registers***; stresses that the interconnection of registers should be ensured by the Commission; ***calls on the Commission to issue technical guidelines to facilitate convergence of format, interoperability and interconnection of Member States' registers***; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

Or. en

Amendment 879

Thierry Cornillet

Motion for a resolution

Paragraph 133

Motion for a resolution

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also

Amendment

133. Notes that the Union's AML legislation obliges Member States to establish central registers containing complete beneficial ownership data for companies and trusts, and that it also

provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

provides for their interconnection; welcomes the fact that AMLD5 obliges Member States to ensure that the information on beneficial ownership is accessible in all cases to any member of the general public *except where, exceptionally, such information would expose the beneficial owner to a disproportionate risk of fraud, kidnapping, blackmail, extortion, harassment, violence or intimidation*; stresses that the interconnection of registers should be ensured by the Commission; considers that the Commission should closely monitor the functioning of this interconnected system and assess within a reasonable time whether it is working properly and whether it should be supplemented by the establishment of an EU public register of beneficial ownership;

Or. fr

Amendment 880

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 133 a (new)

Motion for a resolution

Amendment

133 a. Regrets that even when Parliament^{1a} called for the creation of public Beneficial Ownership registers for trusts and companies, in the end the public access has only been granted to company registries, and trusts registries are only accessible after proof of legitimate interest; reminds Member States that both family and commercial trusts are used for hiding assets from all sorts of creditors, included the tax authorities; and encourages Member States to create public registers both for

companies and trusts;

1a

<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&mode=XML&reference=A8-2017-0056> uage=EN

Or. en

Amendment 881

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Doru-Claudian Frunzulică, Hugues Bayet, Elly Schlein, Dietmar Köster, Olle Ludvigsson

**Motion for a resolution
Paragraph 133 a (new)**

Motion for a resolution

Amendment

133 a. Calls on Member States to ensure that registers of beneficial owners contain verification mechanisms to ensure the accuracy of the data; calls on the Commission to make assessment of verification mechanisms and reliability of the data in its reviews;

Or. en

Amendment 882

Luděk Niedermayer, Jeppe Kofod

**Motion for a resolution
Paragraph 133 a (new)**

Motion for a resolution

Amendment

133 a. (new) Calls on the Commission to lead a global initiative for the establishment of public central registers in all world jurisdictions; stresses in this regard the vital role of international organisations such as the OECD and the

UN;

Or. en

Amendment 883

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 133 a (new)

Motion for a resolution

Amendment

133 a. Is concerned of the poor quality of the beneficial ownership information collected in the national registers and calls on the EBA to monitor the correctness of the information;

Or. en

Amendment 884

Emil Radev

Motion for a resolution

Paragraph 134

Motion for a resolution

Amendment

134. Calls for a more stringent and precise definition of beneficial ownership to ensure that all natural persons who ultimately own or control a legal entity are identified;

deleted

Or. bg

Amendment 885

Roberts Zile

Motion for a resolution

Paragraph 134

Motion for a resolution

134. Calls for ***a more stringent*** and precise definition of beneficial ownership to ensure that all natural persons who ultimately own or control a legal entity are identified;

Amendment

134. Calls for ***coherent*** and precise definition of beneficial ownership to ensure that all natural persons who ultimately own or control a legal entity are identified;

Or. en

Amendment 886

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 135 a (new)

Motion for a resolution

Amendment

135 a. Takes notes that, in respect of trusts, national registers will only be accessible to those demonstrating a legitimate interest to access; stresses that Member States remain free to open the beneficial ownership registers for trust to the public;

Or. en

Amendment 887

Markus Ferber

Motion for a resolution

Paragraph 136

Motion for a resolution

Amendment

136. Underscores the problem of money laundering through investment in real estate in European cities through foreign shell companies; ***recalls that the Commission should assess the necessity and proportionality of harmonising the information in the land and real estate registers and assess the need for the***

136. Underscores the problem of money laundering through investment in real estate in European cities through foreign shell companies;

interconnection of those registers; calls on the Commission, if appropriate, to accompany the report with a legislative proposal;

Or. en

Amendment 888
Lefteris Christoforou

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Underscores the problem of money laundering through investment in real estate in European cities through foreign shell companies; recalls that the Commission should assess the necessity and proportionality of harmonising the information in the land and real estate registers and assess the need for the interconnection of those registers; ***calls on the Commission, if appropriate, to accompany the report with a legislative proposal;***

Amendment

136. Underscores the problem of money laundering through investment in real estate in European cities through foreign shell companies; recalls that the Commission should assess the necessity and proportionality of harmonising the information in the land and real estate registers and assess the need for the interconnection of those registers;

Or. el

Amendment 889
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 136

Motion for a resolution

136. Underscores the problem of money laundering through investment in real estate in European cities through foreign shell companies; recalls that the Commission should assess the necessity

Amendment

136. Underscores the problem of money laundering through investment in real estate in European cities through foreign shell companies; ***recognises that these type of practices have serious externalities on***

and proportionality of harmonising the information in the land and real estate registers and assess the need for the interconnection of those registers; calls on the Commission, if appropriate, to accompany the report with a legislative proposal;

house prices in local markets that negatively affect the access to affordable housing of the residents in those cities; recalls that the Commission should assess the necessity and proportionality of harmonising the information in the land and real estate registers and assess the need for the interconnection of those registers; calls on the Commission, if appropriate, to accompany the report with a legislative proposal; is concerned that money laundering is also done through life insurance contracts and financial instruments and is, therefore, of the opinion that beneficial ownership information on these assets should also be available to authorities; is of the opinion that also beneficial owner should be registered in real estate registers and not only mere legal owners possibly hiding the ultimate beneficial owner and calls on the Commission to put forward a legislative proposal to amend the AMLD5 in this regard;

Or. en

Amendment 890

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Hugues Bayet, Elly Schlein, Dietmar Köster, Olle Ludvigsson

Motion for a resolution Paragraph 136

Motion for a resolution

136. Underscores the problem of money laundering through investment in real estate in European cities through foreign shell companies; recalls that the Commission should assess the necessity and proportionality of harmonising the information in the land and real estate registers and assess the need for the interconnection of those registers; calls on

Amendment

136. Underscores the problem of money laundering through investment in real estate in European cities through foreign shell companies; recalls that the Commission should assess the necessity and proportionality of harmonising the information in the land and real estate registers and assess the need for the interconnection of those registers; ***takes the***

the Commission, if appropriate, to accompany the report with a legislative proposal;

view that Member States should have in place publicly accessible information on ultimate beneficial ownership of land and real estate; calls on the Commission, if appropriate, to accompany the report with a legislative proposal;

Or. en

Amendment 891
Lefteris Christoforou

Motion for a resolution
Paragraph 137

Motion for a resolution

137. Notes that under AMLD5 the Commission must carry out an analysis of the feasibility of specific measures and mechanisms at Union and Member State level making it possible to collect and access the beneficial ownership information of corporate and other legal entities incorporated outside of the Union; ***calls on the Commission to present a legislative proposal for such a mechanism should the feasibility analysis be favourable;***

Amendment

137. Notes that under AMLD5 the Commission must carry out an analysis of the feasibility of specific measures and mechanisms at Union and Member State level making it possible to collect and access the beneficial ownership information of corporate and other legal entities incorporated outside of the Union;

Or. el

Amendment 892
David Coburn
on behalf of the EFDD Group
Raymond Finch

Motion for a resolution
Paragraph 138

Motion for a resolution

138. Underlines the positive potential of new distributed ledger technologies, such

Amendment

deleted

as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Or. en

Amendment 893
Alfred Sant

Motion for a resolution
Paragraph 138

Motion for a resolution

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Amendment

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity, *without curtailing its positive aspects; stresses that among the latter, there have been the emerging opportunities to develop a decentralised digitalised world, with notably the progress of crowdfunding, results in time and money savings for smaller enterprises and peer-to-peer cheap secure transactions;*

Or. en

Amendment 894
Markus Ferber

Motion for a resolution
Paragraph 138

Motion for a resolution

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Amendment

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity; ***considers that money laundering risks of virtual currencies could be significantly reduced if virtual currencies were regulated as financial instruments;***

Or. en

Amendment 895
Monica Macovei

Motion for a resolution
Paragraph 138

Motion for a resolution

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that

Amendment

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies, ***making use of anonymous transactions*** to launder criminal proceeds or to commit other financial crimes; acknowledges the need to

legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Or. en

Amendment 896

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 138**

Motion for a resolution

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Amendment

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds, *to evade taxes* or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Or. en

Amendment 897 **Barbara Kappel**

Motion for a resolution **Paragraph 138**

Motion for a resolution

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the

Amendment

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the

same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, *which facilitates* criminal activity;

same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, *for the possible purpose of* criminal activity;

Or. en

Amendment 898
Tom Vandenkendelaere

Motion for a resolution
Paragraph 138

Motion for a resolution

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Amendment

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor *fast-changing* technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Or. en

Amendment 899
Louis Michel, Thierry Cornillet

Motion for a resolution
Paragraph 138

Motion for a resolution

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity;

Amendment

138. Underlines the positive potential of new distributed ledger technologies, such as blockchain technology; notes at the same time the increasing abuse of new payment and transfer methods based on these technologies to launder criminal proceeds or to commit other financial crimes; acknowledges the need to monitor technological developments to ensure that legislation addresses in an effective manner the abuse of new technologies and anonymity, which facilitates criminal activity; ***calls for close cooperation with Europol and Interpol;***

Or. fr

Amendment 900

Anne Sander

Motion for a resolution

Paragraph 138 a (new)

Motion for a resolution

Amendment

138a. Stresses that the development and use of ‘virtual currencies’ and, more generally, of cryptoassets is a long-term trend that is expected to continue and increase in the coming years, in particular through the use of coins for various purposes, such as corporate financing; calls on the Commission to develop an appropriate framework at European level to manage these developments, drawing inspiration from work at international level and from European bodies such as the ESMA; considers that this framework should both provide the necessary safeguards against the specific risks posed by cryptoassets and also allow for innovation; recalls that some Member States have already adopted various types of framework for specific segments of this

*sector, such as initial coin offerings,
which should be a source of inspiration
for future actions;*

Or. fr

Amendment 901

Caroline Nagtegaal, Wolf Klinz, Nils Torvalds, Petr Ježek, Thierry Cornillet, Maite Pagazaurtundúa Ruiz

Motion for a resolution

Paragraph 138 a (new)

Motion for a resolution

Amendment

138 a. Calls on the Commission to closely monitor technological developments, assess technological risks and potential loopholes, support resilience to a cyberattack or a system breakdown, and promote data protection projects; encourages competent authorities and the Commission to develop stress testing for distributed ledger technologies applications;

Or. en

Amendment 902

Geoffroy Didier

Motion for a resolution

Paragraph 138 a (new)

Motion for a resolution

Amendment

138a. Recalls the importance of maintaining a balance between strong encryption for computer security, data protection and privacy protection and the need to offer guarantees for legitimate access to information for the purpose of criminal investigations by law enforcement bodies.

Amendment 903

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 138 a (new)

Motion for a resolution

Amendment

138 a. Notes that because of the anonymity provided to users by virtual currencies, transactions cannot be monitored by authorities, increasing the risk of money laundering and tax evasion; stresses in this regard that virtual currencies can be used to circumvent the exchange of information system;

Or. en

Amendment 904

Pirkko Ruohonen-Lerner

Motion for a resolution

Paragraph 138 a (new)

Motion for a resolution

Amendment

138a. Calls, in this context, on the Member States to implement, as soon as possible, the fifth Anti-Money Laundering Directive, which imposes an obligation on virtual currency wallet and exchange services to identify their customers, making it difficult to use virtual currencies anonymously;

Or. fi

Amendment 905

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 138 b (new)

Motion for a resolution

Amendment

138 b. Acknowledges that the decentralised aspect of virtual currencies and the lack of clear intermediaries complicates regulation activities; welcomes the fact that AMLD5 includes some virtual currencies' actors; regrets however that some important actors are not covered by anti-money laundering rules, like cryptocurrency exchanges, trading platforms, or software or hardware wallets;

Or. en

Amendment 906

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 138 c (new)

Motion for a resolution

Amendment

138 c. Calls on the Commission to issue a proposal for a EU regulation of virtual currencies, including licensing requirements and uplifting anonymity;

Or. en

Amendment 907

Anne Sander

Motion for a resolution

Paragraph 139

Motion for a resolution

Amendment

139. Stresses that the FATF has recently highlighted the urgent need for all countries to take coordinated action to prevent the use of virtual assets for crime and terrorism, urging all jurisdictions to take legal and practical steps to prevent the misuse of virtual assets⁷³; ***reiterates its call for an urgent assessment by the Commission of the implications for money laundering and tax crimes involving e-gaming activities***;

⁷³ FATF, Regulation of virtual assets, 19 October 2018 <http://www.fatf-gafi.org/publications/fatfrecommendations/documents/regulation-virtual-assets.html>

139. Stresses that the FATF has recently highlighted the urgent need for all countries to take coordinated action to prevent the use of virtual assets for crime and terrorism, urging all jurisdictions to take legal and practical steps to prevent the misuse of virtual assets⁷³; ***calls on the Commission to swiftly incorporate into the European legal framework the recommendations and standards developed by the FATF to regulate virtual assets***;

⁷³ FATF, Regulation of virtual assets, 19 October 2018, <http://www.fatf-gafi.org/publications/fatfrecommendations/documents/regulation-virtual-assets.html>

Or. fr

Amendment 908 **Tom Vandenkendelaere**

Motion for a resolution **Paragraph 139**

Motion for a resolution

139. Stresses that the FATF has recently highlighted the urgent need for all countries to take coordinated action to prevent the use of virtual assets for crime and terrorism, urging all jurisdictions to take legal and practical steps to prevent the misuse of virtual assets⁷³; ***reiterates its call for an urgent assessment by the Commission of the implications for money laundering and tax crimes involving e-gaming activities***;

⁷³ FATF, Regulation of virtual assets, 19 October 2018 <http://www.fatf-gafi.org/publications/fatfrecommendations/documents/regulation-virtual-assets.html>

Amendment

139. Stresses that the FATF has recently highlighted the urgent need for all countries to take coordinated action to prevent the use of virtual assets for crime and terrorism, urging all jurisdictions to take legal and practical steps to prevent the misuse of virtual assets⁷³; ***stresses that the EU should continue to play a leadership role in advocating for a coherent and coordinated international regulatory framework around virtual currencies, building on efforts it has undertaken at the Group of Twenty (G20)***;

⁷³ FATF, Regulation of virtual assets, 19 October 2018 <http://www.fatf-gafi.org/publications/fatfrecommendations/documents/regulation-virtual-assets.html>

Or. en

Amendment 909
Thierry Cornillet

Motion for a resolution
Paragraph 139

Motion for a resolution

139. Stresses that the FATF has recently highlighted the urgent need for all countries to take coordinated action to prevent the use of virtual **assets** for crime and terrorism, urging all jurisdictions to take legal and practical steps to prevent the misuse of virtual assets⁷³; **reiterates its call for an urgent assessment by the Commission of the implications for money laundering and tax crimes involving e-gaming activities**;

⁷³ FATF, Regulation of virtual assets, 19 October 2018 <http://www.fatf-gafi.org/publications/fatfrecommendations/documents/regulation-virtual-assets.html>

Amendment

139. Stresses that the FATF has recently highlighted the urgent need for all countries to take coordinated action to prevent the use of virtual **currencies** for crime and terrorism, urging all jurisdictions to take legal and practical steps to prevent the misuse of virtual assets⁷³; **calls on the Commission to swiftly incorporate into a legislative proposal the recent changes in the FATF standards to regulate these virtual assets**;

⁷³ FATF, Regulation of virtual assets, 19 October 2018, <http://www.fatf-gafi.org/publications/fatfrecommendations/documents/regulation-virtual-assets.html>

Or. fr

Amendment 910
Thierry Cornillet, Petr Ježek, Wolf Klinz, Maite Pagazaurtundúa Ruiz, Caroline Nagtegaal

Motion for a resolution
Paragraph 139

Motion for a resolution

139. Stresses that the FATF has recently highlighted the urgent need for all

Amendment

139. Stresses that the FATF has recently highlighted the urgent need for all

countries to take coordinated action to prevent the use of virtual **assets** for crime and terrorism, urging all jurisdictions to take legal and practical steps to prevent the misuse of virtual **assets**⁷³ ; reiterates its call for an urgent assessment by the Commission of the implications for money laundering and tax crimes involving e-gaming activities;

⁷³ FATF, Regulation of virtual assets, 19 October 2018 <http://www.fatf-gafi.org/publications/fatfrecommendations/documents/regulation-virtual-assets.html>

countries to take coordinated action to prevent the use of virtual **currencies** for crime and terrorism, urging all jurisdictions to take legal and practical steps to prevent the misuse of virtual **currencies** la ; reiterates its call for an urgent assessment by the Commission of the implications for money laundering and tax crimes involving e-gaming activities;

Or. en

Amendment 911
Tom Vandenkendelaere

Motion for a resolution
Paragraph 139 a (new)

Motion for a resolution

Amendment

139 a. Stresses the rise of the e-gaming (internet gambling) sector on the Isle of Man, which already accounts for 18% of Manx national income; reiterates its call for an urgent assessment by the Commission of the implications for money laundering and tax crimes involving e-gaming activities;

Or. en

Amendment 912
Anne Sander

Motion for a resolution
Paragraph 139 a (new)

Motion for a resolution

Amendment

139a. Reiterates its call for a rapid assessment by the Commission of the consequences of money laundering and tax crimes involving e-gaming activities;

Or. fr

Amendment 913
Tom Vandenkendelaere

Motion for a resolution
Paragraph 139 b (new)

Motion for a resolution

Amendment

139 b. Urges the Commission to give clear guidance under which conditions virtual currencies can be classified as financial instruments and under which circumstances existing EU regulation is applicable for initial coin offerings;

Or. en

Amendment 914
Tom Vandenkendelaere

Motion for a resolution
Paragraph 139 c (new)

Motion for a resolution

Amendment

139 c. Stresses that FIUs should be able to associate virtual currency addresses to the identity of the owner of virtual currencies, and that mandatory registration of users by designated authorities should be further assessed by the Commission;

Or. en

Amendment 915
Tom Vandenkendelaere

Motion for a resolution
Paragraph 139 d (new)

Motion for a resolution

Amendment

139 d. Stresses that both Europol and individual Member States have informally engaged with the virtual currency industry to ensure cooperation in acting against illicit finance; urges to formalise this interaction through the establishment of public-private partnerships on virtual currencies;

Or. en

Amendment 916
Peter Simon, Evelyn Regner, Mady Delvaux, Dietmar Köster, Arndt Kohn, Olle Ludvigsson

Motion for a resolution
Paragraph 140

Motion for a resolution

Amendment

140. Takes note of the expert-level work on electronic identification and remote KYC processes, which explores issues such as the possibility of financial institutions using electronic identification (e-ID) and of KYC portability to identify customers digitally;

140. Takes note of the expert-level work on electronic identification and remote KYC processes, which explores issues such as the possibility of financial institutions using electronic identification (e-ID) and of KYC portability to identify customers digitally; ***points out the advantages of having a European system of e-ID;***

Or. en

Amendment 917
Anne Sander

Motion for a resolution
Paragraph 140

Motion for a resolution

140. Takes note of the expert-level work on electronic identification and remote KYC processes, which explores issues such as the possibility of financial institutions using electronic identification (e-ID) and of KYC portability to identify customers digitally;

Amendment

140. Takes note of the expert-level work on electronic identification and remote KYC processes, which explores issues such as the possibility of financial institutions using electronic identification (e-ID) and of KYC portability to identify customers digitally; ***calls on the Commission to come forward swiftly with proposals to this effect;***

Or. fr

Amendment 918
Thierry Cornillet

Motion for a resolution
Paragraph 140

Motion for a resolution

140. Takes note of the expert-level work on electronic identification and remote KYC processes, which explores issues such as the possibility of financial institutions using electronic identification (e-ID) and of KYC portability to identify customers digitally;

Amendment

140. Takes note of the expert-level work on electronic identification and remote KYC processes, which explores issues such as the possibility of financial institutions using electronic identification (e-ID) and of KYC portability to identify customers digitally, ***and calls for this work to be presented swiftly;***

Or. fr

Amendment 919
Anne Sander

Motion for a resolution
Paragraph 140 a (new)

Motion for a resolution

Amendment

140a. Considers that action should be developed at European level to manage cryptoassets; considers that existing regulatory frameworks have not been developed to be applied to emerging activities or technologies such as virtual currencies, cryptoassets or initial coin offerings, and could therefore have a negative impact on innovation; considers that the application of all or part of the MiFID2/R regime could have its advantages, but that the cumbersome nature of the framework, which does not allow the issues raised by cryptoassets to be adequately addressed, means it could have a dissuasive effect on the development of these activities and technologies and the competitiveness of the European Union; considers passporting to be one of the main issues, once cryptoassets are classified as a financial instrument or in another category; calls on the European supervisory authorities to develop recommendations for future Commission proposals on this subject;

Or. fr

Amendment 920

Peter Simon, Pervenche Berès, Doru-Claudian Frunzulică, Evelyn Regner, Elly Schlein, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution

Paragraph 140 a (new)

Motion for a resolution

Amendment

140 a. Urges the Commission to lead on creating a global framework regulating virtual currencies which takes into consideration the risks of these new technologies; recalls the dangers posed to consumers by Initial Coin Offerings (ICO's) and urges the Commission to enact a proposal for their regulation as

financial operations; notes in particular that cryptocurrencies' opacity can be used to facilitate money laundering and tax evasion; calls on the Commission to draft legislative proposals to ban certain anonymity measures on specific cryptocurrencies, on a case-by-case basis;

Or. en

Amendment 921

Caroline Nagtegaal, Thierry Cornillet, Petr Ježek, Wolf Klinz, Maite Pagazaurtundúa Ruiz

Motion for a resolution

Paragraph 140 a (new)

Motion for a resolution

Amendment

140 a. Notes that virtual currencies are used by retail investors as substitutes for other assets and that, unlike other financial instruments, virtual currencies are largely unregulated at present;

Or. en

Amendment 922

Maite Pagazaurtundúa Ruiz, Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 141

Motion for a resolution

Amendment

141. Recalls that EU AML legislation requires Member States to lay down sanctions for *breaches of* anti-money laundering rules; stresses that these *sanctions* must be effective, proportionate and dissuasive;

141. Stresses that sanctions for ***breaching*** anti-money laundering rules must be effective, proportionate and dissuasive, ***as required in EU AML legislation; said sanctions should be applied to, inter alia, companies that unjustifiably use non-cooperative jurisdictions for money laundering and tax evasion, intermediaries who resort to***

such jurisdictions and taxpayers (individuals or legal entities) who, to avoid or evade the payment of taxes in any Member State, carry out activities without economic substance in said jurisdictions

Or. en

Amendment 923

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 141**

Motion for a resolution

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be effective, proportionate and dissuasive;

Amendment

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules *against banks and intermediaries that are knowingly, wilfully and systematically involved in illegal tax or money laundering schemes*; stresses that these sanctions must be effective, proportionate and dissuasive;

Or. en

Amendment 924

Pirkko Ruohonen-Lerner

**Motion for a resolution
Paragraph 141**

Motion for a resolution

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be effective, proportionate and dissuasive;

Amendment

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be effective, proportionate and dissuasive; *recalls that EU anti-money*

laundrying legislation obliges Member States to publish information and statistics on the implementation of anti-money laundrying measures, in particular that decisions on administrative measures or sanctions for breaches of anti-money laundrying provisions must be published on the official websites of the competent authorities immediately when the person to be penalised has been informed of the decision, and that the publication should include at least information on the type and nature of the breach and the identity of those responsible; calls on the Member States, in addition, to publish information on the nature and level of sanctions imposed; calls on the Member States to apply sanctions and other measures also to members of executive bodies and other natural persons who under national law are responsible for breaches of anti-money laundrying rules;

Or. fi

Amendment 925
Monica Macovei

Motion for a resolution
Paragraph 141

Motion for a resolution

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundrying rules; stresses that these sanctions must be effective, proportionate and dissuasive;

Amendment

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundrying rules; stresses that these sanctions must be effective, proportionate and dissuasive; *recalls that EU AML legislation requires Member States to publish information and statistics on AML enforcement actions, and in particular that a decision imposing an administrative sanction or measure for breach of EU AML legislation shall be published by the competent authorities on*

their official website immediately after the person sanctioned is informed of that decision and that the publication shall include at least information on the type and nature of the breach and the identity of the persons responsible; urges Member States to also publish the nature and value of the sanctions imposed; calls on Member States to also apply sanctions and measures to the members of the management body and to other natural persons who under national law are responsible for a breach of anti-money laundering rules;

Or. en

Amendment 926

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 141**

Motion for a resolution

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be effective, proportionate and dissuasive;

Amendment

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be effective, proportionate and dissuasive; *recalls that EU AML legislation requires Member States to publish information and statistics on AML enforcement actions, and in particular that a decision imposing an administrative sanction or measure for breach of EU AML legislation shall be published by the competent authorities on their official website immediately after the person sanctioned is informed of that decision and that the publication shall include at least information on the type and nature of the breach and the identity of the persons responsible; urges Member States to also publish the nature and value*

of the sanctions imposed; calls on Member States to also apply sanctions and measures to the members of the management body and to other natural persons who under national law are responsible for a breach of anti-money laundering rules;

Or. en

Amendment 927

Louis Michel

Motion for a resolution

Paragraph 141

Motion for a resolution

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be effective, proportionate and dissuasive;

Amendment

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be *clear*, effective, proportionate and dissuasive;

Or. fr

Amendment 928

Gunnar Hökmark

Motion for a resolution

Paragraph 141

Motion for a resolution

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be effective, proportionate and dissuasive;

Amendment

141. Recalls that EU AML legislation requires Member States to lay down sanctions for breaches of anti-money laundering rules; stresses that these sanctions must be effective, proportionate and dissuasive; *calls for a speedy implementation in EU Member States on the enforcement of fines for money laundering and sanctions violations;*

Amendment 929

Maite Pagazaurtundúa Ruiz, Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 141 a (new)

Motion for a resolution

Amendment

141 a. Asks the EBA to monitor national investigations and the corresponding sanctions, and to submit an annual report to the European Commission.

Amendment 930

Petr Ježek, Thierry Cornillet, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution

Paragraph 143 a (new)

Motion for a resolution

Amendment

143 a. Regrets that, concerning third countries, sanctions are not always applied or sufficiently deterrent in relevant cases; deplores the fact, in this context, that Member States, in spite of the recommendations put forward by the PANA committee, continue to oppose the imposition by the EU of sanctions on third countries whose tax systems are regarded as damaging to the Union; considers that, concerning the European Union, the Commission shall forward, every two years, to the European Parliament and the Council a report on national practices as regards the imposition of administrative and criminal penalties on legal and natural persons found guilty of fraud and financial crimes with a view to analyse whether different national

regimes lead to regulatory arbitrage, whether they have a deterrent effect and are appropriate, taking into account the nature of the infractions and the good faith or not of the taxpayer; the Commission should accompany this report with proposals where relevant;

Or. en

Amendment 931

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 143 a (new)**

Motion for a resolution

Amendment

143 a. Recalls the position of the European Parliament in the PANA recommendations regarding the application of sanctions to enablers and promoters involved in illegal, harmful proven to have facilitated illegal, harmful or wrongful corporate tax arrangements; that the sanctions should be targeted towards the companies themselves as well as the management-level employees and board members responsible for the schemes; calling for the stringent application of effective sanctions on banks, providing for the suspension or withdrawal of the banking licence of financial institutions that are proven to be involved in promoting or enabling money laundering, tax evasion or aggressive tax planning; and encouraging Member States to ensure that the fines and pecuniary sanctions imposed on tax evaders and intermediaries are not tax-base deductible;^{1a}

^{1a} *European Parliament recommendation*

of 13 December 2017 to the Council and the Commission following the inquiry into money laundering, tax avoidance and tax evasion (Texts adopted, P8_TA-(2017)0491).

Or. en

Amendment 932
Gunnar Hökmark

Motion for a resolution
Paragraph 143 a (new)

Motion for a resolution

Amendment

143 a. Calls for EU wide sanctions on human rights abuses inspired by the US Global Magnitsky Act, which allows for the imposition of visa bans and targeted sanctions such as blocking property and interests in property within EU jurisdiction on individual public officials, or persons acting in an official capacity, who are responsible for acts of corruption or serious human rights violations;

Or. en

Amendment 933
Gunnar Hökmark

Motion for a resolution
Paragraph 143 b (new)

Motion for a resolution

Amendment

143 b. Reiterates previous calls by the European Parliament to impose a European Magnitsky Act, as well as the political consent given by the Foreign Affairs Council on 10 December 2018;stresses the importance of an immediate sanctions list in order to secure

an effective implementation of a European Magnitsky Act, enabling the blocking of property and interests in property from being transferred, exported or withdrawn;

Or. en

Amendment 934

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Subheading 5.7 a (new)**

Motion for a resolution

Amendment

An EU anti-money laundering list of high-risk third countries

Or. en

Amendment 935

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

**Motion for a resolution
Paragraph 145**

Motion for a resolution

Amendment

145. Takes note of the Methodology for identifying high-risk third countries under Directive (EU) 2015/849 published on 22 June 2018 (SWD(2018)0362);

145. Takes note of the Methodology for identifying high-risk third countries under Directive (EU) 2015/849 published on 22 June 2018 (SWD(2018)0362) *and calls on the Commission to make the blacklisting process fully transparent to the public;*

Or. en

Amendment 936

Luděk Niedermayer, Jeppe Kofod

**Motion for a resolution
Paragraph 145 a (new)**

Motion for a resolution

Amendment

145 a. (new) Believes that consistency and complementarity of the anti-money laundering list of high-risk third countries with the European list of non-cooperative jurisdictions need to be ensured; reiterates its call to entrust the Commission with a central role for the management of both lists;

Or. en

Amendment 937

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas, Stelios Kouloglou

**Motion for a resolution
Paragraph 145 a (new)**

Motion for a resolution

Amendment

145 a. Notes that EU Member States are not treated in the same way as third countries, when they should be according to the Financial Action Task Force, and that this represents a problem when aiming at having common standards in respect of AML; calls for Member States to be peer reviewed in the same way third countries are in FATF; calls the Commission, as a founding member in 1989 of the Financial Action Task Force, to be peer reviewed by FATF as well^{1a}

***^{1a} TAX3 PUBLIC
HEARING“RELATIONS WITH
SWITZERLAND IN TAX MATTERS
AND THE FIGHT AGAINST***

***MONEYLAUNDERING” held on
October 1, 2018.***

Or. en

Amendment 938

**Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric,
Martin Schirdewan, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel
Viegas, Stelios Kouloglou**

Motion for a resolution

Paragraph 145 b (new)

Motion for a resolution

Amendment

***145 b. Is concerned with allegations
noting that competent authorities in
Switzerland are not functioning and the
doubts regarding the reliability of the
information shared by the Swiss FIUs;
notes that this is a clear violation of
FATF’s recommendations 40 and 9; calls
for an evaluation to be made of
Switzerland’s compliance of FATF
regulations; calls for Switzerland to be on
the EU list of third country jurisdictions
which have strategic deficiencies in their
anti-money laundering and in countering
terrorist financing^{1a};***

***^{1a} TAX3 PUBLIC
HEARING“RELATIONS WITH
SWITZERLAND IN TAX MATTERS
AND THE FIGHT AGAINST
MONEYLAUNDERING” held on
October 1, 2018.***

Or. en

Amendment 939

Roberts Zile

Motion for a resolution

Paragraph 146

Motion for a resolution

146. ***Calls on the Commission and the Member States to ensure*** that the EU *speaks* with one voice at the FATF; calls on the Commission to include European Parliament staff as observers in the Commission delegation to the FATF;

Amendment

146. *Notes* that the EU ***cannot speak*** with one voice at the ***FATF as not all the Member States are members of*** FATF; calls on the Commission to include European Parliament staff as observers in the Commission delegation to the FATF;

Or. en

Amendment 940

Thierry Cornillet

Motion for a resolution

Paragraph 146

Motion for a resolution

146. Calls on the Commission and the Member States to ensure that the EU speaks with ***one*** voice at the FATF; calls on the Commission to include European Parliament staff as observers in the Commission delegation to the FATF;

Amendment

146. Calls on the Commission and the Member States to ensure that the EU speaks with ***a coordinated*** voice at the FATF; ***stresses, however, that coordinating the European position does not mean masking the shortcomings identified in the FATF mutual evaluation reports of certain Member States***; calls on the Commission to include European Parliament staff as observers in the Commission delegation to the FATF;

Or. fr

Amendment 941

Anne Sander

Motion for a resolution

Paragraph 146

Motion for a resolution

146. Calls on the Commission and the Member States to ***ensure that the EU***

Amendment

146. Calls on the Commission and the Member States to ***coordinate more***

speaks with one voice at the FATF; calls on the Commission to include European Parliament staff as observers in the Commission delegation to the FATF;

effectively with a view to defending, where possible, a strong common position within the FATF; calls on the Commission to include European Parliament staff as observers in the Commission delegation to the FATF;

Or. fr

Amendment 942
Emil Radev

Motion for a resolution
Paragraph 146 a (new)

Motion for a resolution

Amendment

146a. Calls on the Commission to provide technical assistance to third countries with the aim of developing effective systems for combating money laundering and the continuous improvement thereof;

Or. bg

Amendment 943
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Subheading 6 a (new)

Motion for a resolution

Amendment

(new para) Points out that a European fair tax system requires a fairer global tax environment; reiterates its call to monitor ongoing tax reforms of third countries;

Or. en

Amendment 944

Caroline Nagtegaal, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 147

Motion for a resolution

Amendment

**147. Is worried about the accelerating corporate tax race to the bottom worldwide in terms of nominal tax rate⁷⁶
⁷⁷;** **deleted**

⁷⁶ *The average corporate income tax rate across the OECD dropped from 32.5 % in 2000 to 23.9 % in 2018. Overall, 22 of the 38 countries surveyed in the latest tax policy reform 2018 report from the OECD now have combined statutory corporate income tax rates equal to or below 25 %, compared with only six in 2000. Source: OECD and Selected Partner Economies, Tax Policy Reforms 2018.*

⁷⁷ *It is also worth noting that the EU 28 are already well below this level, with an average corporate income tax rate in 2018 of 21.9 %, down from 32 % in 2000, according to the Commission: Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norward, 2018 Edition (page 36) and Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norward, 2015 Edition (page 147).*

Or. en

Amendment 945

Markus Ferber

Motion for a resolution

Paragraph 147

Motion for a resolution

Amendment

147. Is worried about the accelerating **deleted**

*corporate tax race to the bottom
worldwide in terms of nominal tax rate⁷⁶
⁷⁷ ;*

⁷⁶ *The average corporate income tax rate across the OECD dropped from 32.5 % in 2000 to 23.9 % in 2018. Overall, 22 of the 38 countries surveyed in the latest tax policy reform 2018 report from the OECD now have combined statutory corporate income tax rates equal to or below 25 %, compared with only six in 2000. Source: OECD and Selected Partner Economies, Tax Policy Reforms 2018.*

⁷⁷ *It is also worth noting that the EU 28 are already well below this level, with an average corporate income tax rate in 2018 of 21.9 %, down from 32 % in 2000, according to the Commission: Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2018 Edition (page 36) and Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2015 Edition (page 147).*

Or. en

Amendment 946

David Coburn

on behalf of the EFDD Group

Raymond Finch

Motion for a resolution

Paragraph 147

Motion for a resolution

147. *Is worried about the accelerating corporate tax race to the bottom worldwide in terms of nominal tax rate⁷⁶
⁷⁷ ;*

Amendment

147. *Considers it necessary that governments compete on taxation, which ensures that governments cannot raise taxes with impunity, as low taxes facilitate economic development and human progress;*

⁷⁶ The average corporate income tax rate across the OECD dropped from 32.5 % in 2000 to 23.9 % in 2018. Overall, 22 of the 38 countries surveyed in the latest tax policy reform 2018 report from the OECD now have combined statutory corporate income tax rates equal to or below 25 %, compared with only six in 2000. Source: OECD and Selected Partner Economies, Tax Policy Reforms 2018.

⁷⁷ It is also worth noting that the EU 28 are already well below this level, with an average corporate income tax rate in 2018 of 21.9 %, down from 32 % in 2000, according to the Commission: Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2018 Edition (page 36) and Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2015 Edition (page 147).

Or. en

Amendment 947

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 147**

Motion for a resolution

147. Is worried about the accelerating corporate tax race to the bottom worldwide in terms of nominal tax rate^{76 77} ;

⁷⁶ The average corporate income tax rate across the OECD dropped from 32.5 % in 2000 to 23.9 % in 2018. Overall, 22 of the 38 countries surveyed in the latest tax policy reform 2018 report from the OECD

Amendment

147. Is worried about the accelerating corporate, ***dividend or capital gains*** tax race to the bottom worldwide in terms of nominal tax rate^{76 77} ;

⁷⁶ The average corporate income tax rate across the OECD dropped from 32.5 % in 2000 to 23.9 % in 2018. Overall, 22 of the 38 countries surveyed in the latest tax policy reform 2018 report from the OECD

now have combined statutory corporate income tax rates equal to or below 25 %, compared with only six in 2000. Source: OECD and Selected Partner Economies, Tax Policy Reforms 2018.

⁷⁷ It is also worth noting that the EU 28 are already well below this level, with an average corporate income tax rate in 2018 of 21.9 %, down from 32 % in 2000, according to the Commission: Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2018 Edition (page 36) and Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2015 Edition (page 147).

now have combined statutory corporate income tax rates equal to or below 25 %, compared with only six in 2000. Source: OECD and Selected Partner Economies, Tax Policy Reforms 2018.

⁷⁷ It is also worth noting that the EU 28 are already well below this level, with an average corporate income tax rate in 2018 of 21.9 %, down from 32 % in 2000, according to the Commission: Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2018 Edition (page 36) and Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2015 Edition (page 147).

Or. en

Amendment 948

Marco Valli

Motion for a resolution

Paragraph 147

Motion for a resolution

147. Is worried about the accelerating corporate tax race to the bottom worldwide in terms of nominal tax rate^{76 77} ;

⁷⁶ The average corporate income tax rate across the OECD dropped from 32.5 % in 2000 to 23.9 % in 2018. Overall, 22 of the 38 countries surveyed in the latest tax policy reform 2018 report from the OECD now have combined statutory corporate income tax rates equal to or below 25 %, compared with only six in 2000. Source: OECD and Selected Partner Economies, Tax Policy Reforms 2018.

⁷⁷ It is also worth noting that the EU 28 are already well below this level, with an

Amendment

147. Is worried about the accelerating corporate tax race to the bottom worldwide **and within the EU** in terms of nominal tax rate^{76 77} ;

⁷⁶ The average corporate income tax rate across the OECD dropped from 32.5 % in 2000 to 23.9 % in 2018. Overall, 22 of the 38 countries surveyed in the latest tax policy reform 2018 report from the OECD now have combined statutory corporate income tax rates equal to or below 25 %, compared with only six in 2000. Source: OECD and Selected Partner Economies, Tax Policy Reforms 2018.

⁷⁷ It is also worth noting that the EU 28 are already well below this level, with an

average corporate income tax rate in 2018 of 21.9 %, down from 32 % in 2000, according to the Commission: Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2018 Edition (page 36) and Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2015 Edition (page 147).

average corporate income tax rate in 2018 of 21.9 %, down from 32 % in 2000, according to the Commission: Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2018 Edition (page 36) and Taxation Trends in the European Union - Data for the EU Member States, Iceland and Norway, 2015 Edition (page 147).

Or. en

Amendment 949

Peter Simon, Ramón Jáuregui Atondo, Doru-Claudian Frunzulică, Evelyn Regner, Dietmar Köster, Olle Ludvigsson

Motion for a resolution

Paragraph 148

Motion for a resolution

148. Recognises the effort made by some third countries to act decisively against BEPS; stresses, however, that such reforms should remain in line with existing WTO rules; considers the information gathered during the committee visit to Washington DC about the US tax reforms and their possible impact on international cooperation to be of particular importance; finds that some of the provisions of the US Tax Cuts and Jobs Act of 2017 would be incompatible with existing WTO rules according to some experts; welcomes the fact that the Commission is currently in the process of assessing the potential regulatory and commercial implications of, in particular, the BEAT, GILTI and FDII⁷⁸ provisions of the new US tax reform; asks the Commission to inform Parliament of the results of the assessment;

Amendment

148. Recognises the effort made by some third countries to act decisively against BEPS; stresses, however, that such reforms should remain in line with existing WTO rules; considers the information gathered during the committee visit to Washington DC about the US tax reforms and their possible impact on international cooperation to be of particular importance; finds that some of the provisions of the US Tax Cuts and Jobs Act of 2017 would be incompatible with existing WTO rules according to some experts ***regrets certain provisions of the US tax reform seek, unilaterally and without any reciprocity, to revitalise transnational benefits attributable to US territory (presuming that these are generated, at least 50%, in US territory)***; welcomes the fact that the Commission is currently in the process of assessing the potential regulatory and commercial implications of, in particular, the BEAT, GILTI and FDII⁷⁸ provisions of the new US tax reform; asks the Commission to inform Parliament of the

⁷⁸ Respectively ‘Base Erosion and Anti-Abuse Tax’ (BEAT), ‘Global Intangible Low Tax Income’ (GILTI) and ‘Foreign-Derived Intangible Income’ (FDII).

results of the assessment;

⁷⁸ Respectively ‘Base Erosion and Anti-Abuse Tax’ (BEAT), ‘Global Intangible Low Tax Income’ (GILTI) and ‘Foreign-Derived Intangible Income’ (FDII).

Or. en

Amendment 950

Dariusz Rosati

Motion for a resolution

Paragraph 148

Motion for a resolution

148. **Recognises** the effort made by some third countries to act decisively against BEPS; stresses, **however**, that such reforms should remain in line with existing WTO rules; considers the information gathered during the committee visit to Washington DC about the US tax reforms and their possible impact on international cooperation to be of particular importance; finds that some of the provisions of the US Tax Cuts and Jobs Act of 2017 would be incompatible with existing WTO rules according to some experts; welcomes the fact that the Commission is currently in the process of assessing the potential regulatory and commercial implications of, in particular, the BEAT, GILTI and FDII⁷⁸ provisions of the new US tax reform; asks the Commission to inform Parliament of the results of the assessment;

⁷⁸ Respectively ‘Base Erosion and Anti-Abuse Tax’ (BEAT), ‘Global Intangible Low Tax Income’ (GILTI) and ‘Foreign-Derived Intangible Income’ (FDII).

Amendment

148. **Notes with concern** the effort made by some third countries to act decisively against BEPS; stresses that such reforms should remain in line with existing WTO rules; considers the information gathered during the committee visit to Washington DC about the US tax reforms and their possible impact on international cooperation to be of particular importance; finds that some of the provisions of the US Tax Cuts and Jobs Act of 2017 would be incompatible with existing WTO rules according to some experts; welcomes the fact that the Commission is currently in the process of assessing the potential regulatory and commercial implications of, in particular, the BEAT, GILTI and FDII⁷⁸ provisions of the new US tax reform; asks the Commission to inform Parliament of the results of the assessment;

⁷⁸ Respectively ‘Base Erosion and Anti-Abuse Tax’ (BEAT), ‘Global Intangible Low Tax Income’ (GILTI) and ‘Foreign-Derived Intangible Income’ (FDII).

Or. en

Amendment 951

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 149

Motion for a resolution

149. Calls on the Commission to conduct a mapping exercise to analyse the extent of reciprocity in the exchange of information between the US and Member States; calls on the Council to give a mandate to the Commission to negotiate an agreement with the US to ensure reciprocity in the Foreign Account Tax Compliance Act (FATCA);

Amendment

149. Calls on the Commission to conduct a mapping exercise to analyse the extent of reciprocity in the exchange of information between the US and Member States; calls on the Council to give a mandate to the Commission to negotiate an agreement with the US to ensure reciprocity in the Foreign Account Tax Compliance Act (FATCA); ***calls on the Commission and Council to consider sanctions, like withholding tax on payments of EU-source income or the introduction on the list of non-cooperative jurisdictions for tax purposes, if the US does not ensure reciprocity in the FATCA;***

Or. en

Amendment 952

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas, Stelios Kouloglou

Motion for a resolution

Paragraph 149 a (new)

Motion for a resolution

Amendment

149 a. Notes that two FATCA Intergovernmental Agreements (IGAs) were developed to help FATCA fit with international laws: an IGA Model 1 by which foreign financial institutions report relevant information to their home

authorities, which then passes this on to the US IRS, and an IGA Model 2 by which foreign financial institutions do not report to their home governments but directly to the IRS; notes that under Model 1 there are 2 versions, one of which is reciprocal and is the most common one; deplores that reciprocity is highly unbalanced with the US getting far more information from overseas than foreign governments; deplores that even in the best scenario of a reciprocal FATCA, the information compiled by the US institutions is full of loopholes, as it allows for senior managers to be registered if there is no person owning more than 25% of the bank's corporate client^{1a}; calls on the EU Member States, to ensure that they are receiving reliable information when they get into a reciprocal FATCA with the US;

1a

<https://financialsecrecyindex.com/PDF/USA.pdf>

Or. en

Amendment 953
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 149 a (new)

Motion for a resolution

Amendment

149 a. Calls on the Commission and Member States to monitor new corporate tax provisions of countries which cooperate with the EU on the basis of an international agreement^{1d};

^{1d} As mentioned in the public hearing held by TAX 3 committee on 1st of October:

Or. en

Amendment 954
Brian Hayes, Sophia in 't Veld

Motion for a resolution
Paragraph 149 a (new)

Motion for a resolution

Amendment

149 a. Reiterates the proposals contained in its Resolution of 5 July 2018 “on the adverse effects of the US Foreign Account Tax Compliance Act (FATCA) on EU citizens and in particular ‘accidental Americans’” which calls on the Commission to take action to ensure that the fundamental rights of all citizens, in particular those of ‘accidental Americans’, are guaranteed, and calls on the Commission and the Council to present a joint EU approach to FATCA in order to adequately protect the rights of European citizens (in particular ‘accidental Americans’) and improve equal reciprocity in the automatic exchange of information by the US;

Or. en

Amendment 955
Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas, Stelios Kouloglou

Motion for a resolution
Paragraph 149 b (new)

Motion for a resolution

Amendment

149 b. Calls on the Commission and EU Member States to demand that the US enters into the CRS instead of following with the exchange of information under FATCA;

Or. en

Amendment 956

Wolf Klinz, Thierry Cornillet, Nils Torvalds, Maite Pagazaurtundúa Ruiz

Motion for a resolution

Subheading 6.1

Motion for a resolution

List of tax havens

Amendment

List of tax havens *inside and outside the EU*

Or. en

Amendment 957

Thomas Mann

Motion for a resolution

Paragraph 150

Motion for a resolution

150. Recalls the importance of a common EU list of ***non-cooperative*** jurisdictions for tax purposes (hereinafter ‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated;

Amendment

150. Recalls the importance of a common EU list of ***non-cooperating*** jurisdictions for tax purposes (hereinafter ‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated;

Or. de

Amendment 958

Louis Michel

Motion for a resolution
Paragraph 150

Motion for a resolution

150. Recalls the importance of a common EU list of non-cooperative jurisdictions for tax purposes (hereinafter ‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated;

Amendment

150. Recalls the importance of a common **credible** EU list of non-cooperative **non-EU** jurisdictions for tax purposes (hereinafter ‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated;

Or. fr

Amendment 959
Roberta Metsola

Motion for a resolution
Paragraph 150

Motion for a resolution

150. Recalls the importance of a common EU list of non-cooperative jurisdictions for tax purposes (hereinafter ‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated;

Amendment

150. Recalls the importance of a common EU list of non-cooperative **third country** jurisdictions for tax purposes (hereinafter ‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated;

Or. en

Amendment 960
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 150

Motion for a resolution

150. Recalls the importance of a common EU list of non-cooperative jurisdictions for tax purposes (hereinafter

Amendment

150. Recalls the importance of a common EU list of non-cooperative jurisdictions for tax purposes (hereinafter

‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated;

‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated, ***accompanied by appropriate and dissuasive countermeasures***;

Or. en

Amendment 961

Wolf Klinz, Thierry Cornillet, Nils Torvalds, Maite Pagazaurtundúa Ruiz

Motion for a resolution

Paragraph 150

Motion for a resolution

150. Recalls the importance of a common EU list of non-cooperative jurisdictions for tax purposes (hereinafter ‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated;

Amendment

150. Recalls the importance of a common EU list of non-cooperative jurisdictions for tax purposes (hereinafter ‘EU list’) based on comprehensive, transparent, robust, objectively verifiable and commonly accepted criteria that is regularly updated ***and includes tax havens inside and outside the EU***;

Or. en

Amendment 962

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 150 a (new)

Motion for a resolution

Amendment

150 a. Considers that tax havens, tax evasion and tax avoidance have been contributing to the rise in inequalities, by depriving countries of the revenue needed to provide public, quality and free education and healthcare services, social

security, and affordable housing and transportation, and to build essential infrastructure for achieving social development and economic growth;

Or. en