Amendment 34
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Jordi Solé, Max Andersson on behalf of the Verts/ALE Group

Report
Jeppe Kofod, Luděk Niedermayer
Report on financial crimes, tax evasion and tax avoidance (2018/2121(INI))

Motion for a resolution
Paragraph 211

Motion for a resolution

211. 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 Union117; calls on these Member States to swiftly remedy this situation; urges Member States, in particular, to comply with their legal obligation to respect the deadline of 10 January 2020 for transposing AMLD5 into their domestic legislation; emphasises and welcomes the Council conclusions of 23 November 2018 inviting Member States to transpose AMLD5 into their domestic legislation ahead of the 2020 deadline; calls on the Commission to make full use of the instruments at hand to provide support and ensure that Member States duly transpose and implement AMLD5 as soon as possible;

117 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 small part of the Directive and the Commission had already opened an infringement procedure against it.

Amendment

211. 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 Union117; calls on these Member States to swiftly remedy this situation; urges Member States, in particular, to comply with their legal obligation to respect the deadline of 10 January 2020 for transposing AMLD5 into their domestic legislation; emphasises and welcomes the Council conclusions of 23 November 2018 inviting Member States to transpose AMLD5 into their domestic legislation ahead of the 2020 deadline; calls on the Commission to make full use of the instruments at hand to provide support and ensure that Member States duly transpose and implement AMLD5 as soon as possible;

117 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 small part of the Directive and the Commission had already opened an infringement procedure against it.
limited part of the rules and was also referred to the Court of Justice. On 7 March 2019, the Commission sent a reasoned opinion to Austria and the Netherlands and a letter of formal notice to the Czech Republic, Hungary, Italy, Slovenia, Sweden and the United Kingdom for failing to fully transpose the 4th Anti-Money Laundering Directive.
Amendment 35
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Jordi Solé, Max Andersson on behalf of the Verts/ALE Group
Jeppe Kofod, Peter Simon, Pervenche Berès, Paul Tang, Evelyn Regner, Virginie Rozière, Ramón Jáuregui Atondo, Mady Delvaux on behalf of the S&D Group

Report
Jeppe Kofod, Luděk Niedermayer
Report on financial crimes, tax evasion and tax avoidance (2018/2121(INI))

Motion for a resolution
Paragraph 244

244. Calls on the Commission to develop specialised training courses for FIUs, with particular regard to the more reduced capacities in some Member States; notes the contribution of the Egmont Group, which brings together 159 FIUs and aims to strengthen their operational cooperation by encouraging the continuation and implementation of numerous projects; 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 a coordination and support mechanism; recalls that this assessment should be ready by 1 June 2019;

Amendment

244. Calls on the Commission to develop specialised training courses for FIUs, with particular regard to the more reduced capacities in some Member States; notes the contribution of the Egmont Group, which brings together 159 FIUs and aims to strengthen their operational cooperation by encouraging the continuation and implementation of numerous projects; 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 a coordination and support mechanism; recalls that this assessment should be ready by 1 June 2019; calls on the Commission to consider this opportunity to issue a legislative proposal for an EU FIU, which would create a hub for joint investigative work and coordination with its own remit of autonomy and investigatory competences on cross-border financial criminality, as well as an early warning mechanism; takes the view that an EU FIU should have the broad role of coordinating,
assisting and supporting Member States’ FIUs in cross-border cases in order to extend the exchange of information and ensure joint analysis of cross-border cases and strong coordination of work;
20.3.2019  A8-0170/36

Amendment 36
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Jordi Solé, Max Andersson on behalf of the Verts/ALE Group

Report  A8-0170/2019
Jeppe Kofod, Luděk Niedermayer
Report on financial crimes, tax evasion and tax avoidance (2018/2121(INI))

Motion for a resolution
Paragraph 258

258. Notes, however, that in respect of trusts, national registers will only be accessible in principle to those demonstrating a legitimate interest to access; stresses that Member States remain free to open beneficial ownership registers for trusts to the public, as recommended by Parliament already; invites Member States to establish freely accessible and open data registers; recalls, in any case, that the fee they may decide to impose should not exceed the administrative costs of making the information available, including the registers’ maintenance and developments costs;

Amendment
258. Notes, however, that in respect of trusts, national registers will only be accessible in principle to those demonstrating a legitimate interest to access; calls on the Commission to make a proposal for a revision of the Anti-Money Laundering Directive in order to ensure public access to the beneficial ownership information of trusts and similar legal arrangements; invites Member States to establish freely accessible and open data registers; recalls, in any case, that the fee they may decide to impose should not exceed the administrative costs of making the information available, including the registers’ maintenance and developments costs;
Motion for a resolution
Paragraph 283a (new)

Motion for a resolution

Amendment

283a. Welcomes the Commission’s adoption on 13 February 2019 of a new list of 23 third countries and territories\(^1a\) with strategic deficiencies in their anti-money laundering and counter-terrorist financing frameworks; regrets that the Council objected to the delegated act proposed by the Commission; encourages the Commission to take into account all the concerns expressed and to come up with a new delegated act as soon as possible;

\(^{1a}\) Afghanistan, American Samoa, Bahamas, Botswana, Democratic People’s Republic of Korea, Ethiopia, Ghana, Guam, Iran, Iraq, Libya, Nigeria, Panama, Pakistan, Puerto Rico, Samoa, Saudi Arabia, Sri Lanka, Syria, Trinidad and Tobago, Tunisia, US Virgin Islands and Yemen.
Report on financial crimes, tax evasion and tax avoidance (2018/2121(INI))

Motion for a resolution

Paragraph 288 a (new)

288a. Is concerned about the accelerating corporate tax race to the bottom worldwide in terms of the nominal tax rate¹a;

¹a 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 OECD’s latest tax policy reforms 2018 report 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. 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’s, ‘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).
Motion for a resolution

Paragraph 297

297. Regrets the fact that the initial EU listing process only considered third countries; notes that the Commission, within the framework of the European Semester, has identified shortcomings in some Member States’ tax systems which facilitate ATP; welcomes, nonetheless, the statement made by the Chair of the Code of Conduct Group on Business Taxation during the TAX3 committee hearing of 10 October 2018 about the possibility of screening Member States against the same criteria set for the EU list in the context of the revision of the mandate of the CoC Group¹⁴³;

¹⁴³ TAX3 exchange of views with Fabrizia Lapecorella, Chair of the Code of Conduct Group on Business Taxation, held on 10 October 2018.

Amendment

297. Regrets the fact that the initial EU listing process only considered third countries; notes that the Commission, within the framework of the European Semester, has identified shortcomings in some Member States’ tax systems which facilitate ATP; **underlines that aggressive tax practices and unfair tax competition should not be allowed within the Union**; welcomes, nonetheless, the statement made by the Chair of the Code of Conduct Group on Business Taxation during the TAX3 committee hearing of 10 October 2018 about the possibility of screening Member States against the same criteria set for the EU list in the context of the revision of the mandate of the CoC Group¹⁴³; calls on the CoC Group to do so urgently; calls on the Commission to consider the establishment of an EU mechanism to monitor and possibly sanction Member States with tax laws and practices that contradict European tax good governance principles and values;

¹⁴³ TAX3 exchange of views with Fabrizia Lapecorella, Chair of the Code of Conduct Group on Business Taxation, held on 10 October 2018.
United in diversity

Or. en
Amendment 40
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Jordi Solé, Max Andersson on behalf of the Verts/ALE Group

Report
Jeppe Kofod, Luděk Niedermayer
Report on financial crimes, tax evasion and tax avoidance (2018/2121(INI))

Motion for a resolution
Paragraph 302 a (new)

302a. Recommends that the blacklisting process be conducted by a panel of independent experts rather than by the Code of Conduct group, so as to increase the objectivity and transparency of the EU list and to free it from any political interference; believes that a more transparent and objective EU list will improve the credibility of the EU in its fight against tax havens; notes that according to a recent study\^1a, five EU Member States would be considered tax havens if they were scrutinised under EU criteria, these being Cyprus, Ireland, Luxembourg, Malta and the Netherlands; insists therefore on the need to also address aggressive tax practices by certain Member States within the Union in order to uphold the EU’s credibility in its fight against tax havens;

Motion for a resolution

Paragraph 312

312. Recalls that the Commission has criticised seven Member States—Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta and the Netherlands—for shortcomings in their tax systems that facilitate aggressive tax planning, arguing that they undermine the integrity of the European single market; takes the view that these jurisdictions can also be regarded as facilitating aggressive tax planning globally;

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Amendment 312

Recalls that in 2018 the Commission criticised seven Member States—Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta and the Netherlands—for shortcomings in their tax systems that facilitate aggressive tax planning, arguing that they undermine the integrity of the European single market; notes that in 2019 the Commission has again criticised seven Member States—Cyprus, Hungary, Ireland, Luxembourg, Malta, the Netherlands and the United Kingdom—for the same reason; takes the view that these jurisdictions can also be regarded as facilitating aggressive tax planning globally;

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313. Looks forward to the expected review of the EU list in the first quarter of 2019; asks the Council to release a detailed assessment of commitments from jurisdictions which voluntarily committed to reform and were listed in Annex II when the first EU list was released on 5 December 2017; demands that jurisdictions listed in Annex II thanks to commitments made in 2017 are listed in Annex I, if the due reforms have not been implemented by the end of 2018 or within the agreed timeframe;

313. Welcomes the updated list of non-cooperative jurisdictions adopted by the Council on 12 March 2019 which includes 15 jurisdictions and territories; welcomes the publication by the Council of country assessments regarding the fulfilment (or lack of) by third countries of criterion 2 on fair taxation; calls on the Code of Conduct group to improve the criteria to screen third countries, including by looking at the transparency of beneficial owners as soon as possible;

1a Aruba, Barbados, Belize, Bermuda, Dominica, Fiji, Guam, Marshall Islands, Oman, Vanuatu, United Arab Emirates, Samoa, Trinidad and Tobago, US Samoa and US Virgin Islands.
Amendment 43
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Jordi Solé, Max Andersson
on behalf of the Verts/ALE Group

Report
Jeppe Kofod, Luděk Niedermayer
Report on financial crimes, tax evasion and tax avoidance
(2018/2121(INI))

Motion for a resolution
Paragraph 328 a (new)

Motion for a resolution

Amendment

328a. Urges Member States to review and update bilateral taxation agreements between Member States and with third countries in order to close loopholes that incentivise tax-driven trading practices with the purpose of tax avoidance;

Or. en