



Brussels, 18 January 2018

To: Fabrizia Lapecorella, Chair of the Code of Conduct Group on Business Taxation,
Council of the European Union,
To: Vladislav Goranov, Finance Minister of Bulgaria, Bulgarian Presidency of the Council of
the European Union,

Subject: EU list of non-cooperative jurisdictions for tax purposes

Dear Ms Lapecorella, Dear Minister Goranov,

We are writing to you on behalf of the Greens-EFA Group in the European Parliament regarding the European list of non-cooperative jurisdictions for tax purposes and the suggestion by the Code of Conduct Group to ECOFIN Ministers to remove eight third countries¹ from this list. We believe this move further undermines the credibility of the list and the process.

While the Greens-EFA group criticised the screening process for this list, including the exclusion of EU Member States, we acknowledged that the black and grey lists were a starting point and a way to monitor tax policy reviews in several third countries.

However, **we fundamentally regretted the lack of transparency and accountability of the screening process by the Code of Conduct Group**, especially concerning the commitment letters from the 47 jurisdictions that were finally included in the so-called 'grey list'. The recent suggestion to remove an additional group of eight countries because they have provided high-level political commitments for change is another example of why the ongoing reform of the Code of Conduct Group should be accelerated, as recommended several times by the European Parliament.

To ensure greater credibility of the EU list of non-cooperative jurisdictions, the Council should publish all 55 commitment letters received as well as relevant information concerning the assessment by Member States of the seriousness of these commitments. This would clarify why countries have either avoided being placed on the blacklist or have been de-listed. Only with public access to these documents can European citizens and the European Parliament hold their governments to account in the fight against tax evasion and tax avoidance.

In addition, a clear timetable of next steps should be adopted and published by the Code of Conduct Group or the ECOFIN Ministers. More information should be available as to when the ongoing screening of Caribbean jurisdictions will be finalised, when discussions

¹ Barbados, Grenada, Korea, Macao SAR, Mongolia, Panama, Tunisia and the United Arab Emirates (U.A.E.)

on coordinated implementation of counter-measures will provide concrete results and how the monitoring of the commitments will be conducted by the Code of Conduct Group.

Finally, in order to ensure stronger accountability of this screening exercise, we call on you to appear in front of the European Parliament before the first Code of Conduct Group's report to the ECOFIN Council scheduled for June 2018. As recommended in the European Parliament recommendations following its 18 months investigation into the Panama Papers scandal, the Member States should be accountable to the European Parliament and to the wider public on which countries is blacklisted.

We regret that Ms Lapecorella, in her capacity of Chair of the Code of Conduct, declined the European Parliament's invitation to appear in front of the Inquiry Committee on Money Laundering, Tax Evasion and Tax Avoidance (PANA committee) and hope that stronger links between the Council and the European Parliament can be forged in 2018.

Sincerely,

Philippe Lamberts, Co-President of the Greens-EFA Group in the European Parliament

Heidi Hautala, Member of the European Parliament

Eva Joly, Member of the European Parliament

Sven Giegold, Member of the European Parliament

Molly Scott Cato, Member of the European Parliament

Margrete Auken, Member of the European Parliament

Max Andersson, Member of the European Parliament

Pascal Durand, Member of the European Parliament

Bas Eickhout, Member of the European Parliament

Michel Reimon, Member of the European Parliament

Jordi Solé, Member of the European Parliament

Bart Staes, Member of the European Parliament

Ernest Urtasun, Member of the European Parliament