



Strasbourg, 9 March 2016

RE : TAX2 - Major issue of access to documents

Dear President Schulz,
Dear Martin,

On behalf of the Greens / EFA group, we would like to attract your attention on a topic dear to your and our hearts : the respect of the European Parliament's rights and prerogatives.

As you know, the Committee on Tax Rulings and Other Measures Similar in Nature or Effect (TAX2) is still waiting for additional EU tax-related documents to fulfil its mission and establish responsibilities for the Luxleaks scandal. Obtaining these documents is fundamental for TAX2 members and your involvement in the conciliation procedure has been positive.

However, it has already been several weeks since TAX2 members received the letter from Mr Juncker, confirming that they will be allowed to access minutes of the Code of Conduct on business taxation. Mr Quest, newly appointed Director of DG Taxud participated in the last TAX2 coordinators' meeting in February 2016 and made a number of commitments on access to documents, which need to be honoured as soon as possible if the committee wants to resume its work on time.

Among the main issues remaining are :

- The need to access all room documents of the Code of Conduct group available and to have an overview of all the tax measures deemed harmful by this group since its existence ;
- The need for a clarification regarding a large number of missing documents and to whom they belong so that we can address our requests to those owning the information ;
- The importance of not having redacted documents in order to foster good collaboration between the EU institutions. At this stage, still 13 member states refuse to provide access to their information in many room documents ;
- The importance of ensuring good conditions to consult the documents in a secured room. Around 70 additional minutes are expected to be made available to TAX2 members in the near future. However, we are concerned that only one (sic!) in-camera meeting may be allowed to digest all this information (as per the letter from Mr Quest from March 3rd). Moreover, we would like to ensure that all TAX2 MEPs, as well as their qualified assistants and group staff, are granted access to this secured room and are allowed to take their notes back with them outside, as it is currently guaranteed for TTIP documents ;
- The need to receive additional tax-related documents from other Council entities. We have requested to receive addition information since April 2015 already on the working party on direct taxation and the high level working party. At this stage, we are still awaiting these documents.



The Chair and coordinators of TAX2 have done an excellent work in liaising with the European Commission and clarifying our requests and expectations. Nonetheless, it has already been three months since the start of the TAX2 committee and we have barely received any new information since December 2015. We are concerned that by delaying the sharing of these documents, the Commission is not only making TAX2's mission harder to fulfil but is also denying the European Parliament of its basic right to access information. This does not seem in line with the spirit of sincere cooperation stated in the Inter-Institutional Agreement signed between the Commission and the Parliament.

As President of the European Parliament and first guardian of its right to access information, we urge you to make sure that TAX2 members are allowed to access, as soon as possible, all documents requested since April 2014. Only with these documents will the committee be able to fulfill its mission and provide European citizens with the truth on the origins of the Luxleaks scandal.

Sincerely,

Philippe Lamberts,
Co-president of the Greens / EFA Group

Sven Giegold
TAXE2 coordinator of Greens / EFA Group