



EUROPEAN COMMISSION

*Brussels, 15.11.2018
C(2018) 7468 final*

Dear Chair,

The Commission would like to thank the Assembleia da República for its Opinion on the proposal for a Directive laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences and repealing Council Decision 2000/642/JHA {COM(2018) 213 final}.

On 2 February 2016, the Commission adopted an Action Plan on strengthening the fight against terrorist financing. Under the Action Plan, the Commission announced that it would also explore the possibility of a legislative instrument to allow for a broader access to the centralised bank account registries for other law enforcement investigations and by other authorities (for example, tax authorities, Asset Recovery Offices, other law enforcement services, anti-corruption authorities). Hence, the proposal represents an important step in implementing the Action Plan to fight terrorism financing. It forms part of a broader package of ambitious measures, adopted by the Commission on 17 April 2018. They aim to further curtail the space in which terrorists and criminals operate – denying them the means needed to plan, finance and carry out crimes.

The Commission is pleased that the Assembleia da República shares the view that the objectives of the proposal cannot be sufficiently achieved by the Member States and can therefore be better achieved at the Union level.

Indeed, due to their transnational nature, the terrorist and criminal threats affect the European Union as a whole and, therefore, require a European response. Criminals may exploit, and benefit from, the lack of or not sufficiently efficient use of financial and other relevant information by the competent authorities in the Member States. Action at the European Union level will generate added value by providing a harmonised approach that would strengthen domestic and cross-border cooperation in financial investigations on serious crimes and terrorism.

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The Opinion of the Assembleia da República has been made available to the Commission's representatives in the ongoing negotiations with the co-legislators and will inform these discussions. The Commission remains hopeful that an agreement will be reached before the end of the current term of the European Parliament.

The Commission looks forward to continuing the political dialogue with the Assembleia da República in the future.

Yours sincerely,

*Frans Timmermans
First Vice-President*

*Dimitris Avramopoulos
Member of the Commission*