

Mr Mathias Cormann
OECD Secretary- General
Château la Muette
F-75775 Paris

Cc: Director OECD Centre for Tax Policy and Administration;
Council of Europe (T-PD); British and German MPs concerned

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Dear Mr Cormann

17 Sept 2024

CRS | "Culture of Care" around taxpayers' confidentiality – Facts and Fiction

I write further to my previous correspondence on the data protection, data security and human rights implications of the CRS (see the list on the Annex)

Today is the turn of the "culture of care" apparently at the centre of the CRS's project according to the CRS commentary, albeit with evidence of a "counterculture of disregard" for taxpayers information in several jurisdictions, as a recent [US Treasury Report](#) in the US and a more recent [data sharing scandal](#) in [New Zealand](#) exemplify:

Myth



Commentaries on the Common Reporting Standard (CRS)

Confidentiality and Data Safeguards

"Confidentiality of taxpayer information has always been a fundamental cornerstone of tax systems... the ability to protect the confidentiality of tax information is also the result of a **"culture of care"** within a tax administration... Several jurisdictions have specific rules on the protection of persona data which also apply to taxpayer information."

More reality



"IRS Data Warehouse Security needs improvement"

At its core, the IRS's Data Warehouse (CWD) is a massive data warehouse containing multiple years of Federal Tax Information and

Personally Identifiable Information. A total of 1,173 people, including 291 contractors and 20 researchers and student volunteers" have broad access to everyone's data and can remotely download database contents onto IRS-issued laptops. None of the milestones created to implement corrective action plans for the vulnerabilities were created within agency-defined timelines."

Reality

RADIO NEW ZEALAND

9 September 2024

Inland Revenue giving thousands of taxpayers' details to social media platforms for ad campaigns

"The personal details of hundreds of thousands of New Zealanders has been handed to platforms such as Facebook and Google to help better target Inland Revenue Department (IRD) ads. The agency has long asserted that the practice involves anonymising personal information."

But an IRD spokesperson said officials are now reviewing whether it's "still safe" to use the process after warnings from US and European regulators that information could still be linked back with people's identities."

Your predecessor [ignored a call to dialogue](#) from the Chair of the EU's Data Protection Working Group. I hope that you will accept my invitation to engage in a discussion on these issues.

Best regards,

Filippo Nosedà
Partner

Annex

Previous correspondence with the OECD regarding the CRS

Data Protection
<ol style="list-style-type: none">1. Letters dated 11 May 2020 (data protection complaint under the OECD Rules)2. Letter dated 28 July 2020 (complaint to CNIL)3. Correspondence with your predecessor, the former Director of the OECD's Centre for Tax Policy and Administration and his Deputy.
Data Security
<ol style="list-style-type: none">4. Letter dated 31 May 2024 (Santander Hack)5. Letter dated 12 May 2024 (Europol Hack)6. Letter dated 19 April 2024 (IMF Global Financial Stability Report)7. Letter dated 28 July 2023 (ATO Hack)8. Letter dated 26 April 2020 (IDES and CTS)
Human Rights
<ol style="list-style-type: none">9. Letter dated 10 Aug 2023 (47 German MPs' human rights motion),10. Letter dated 4 May 2022 (Exchange with Russia)