Second Session: Ad Hoc Committee to Draft Terms of Reference for a United Nations Framework Convention on International Tax Cooperation

Intervention by Tove Maria Ryding on behalf of the CS FfD Mechanism and the Global Alliance for Tax Justice

Thank you Mr. Chair,

I speak on behalf of EURODAD and the Global Alliance for Tax Justice.

We are still digesting the outcome of this session but it seems to us that there have been a lot of deletions in a paragraph that is already very high-level. We are a bit surprised that we have no agreement on very basic things such as committing to the fact that the allocation of taxing rights should be fair or that high net worth individuals should be taxed effectively.

We understand the idea of leaving flexibility for the future Committee but it also seems as though the future Committee will be us in early 2025 meeting to discuss these same issues.

One advantage of being clear about what we have on the agenda for next year is that we also give stakeholders time to prepare for this discussion and give academics time to consider how best to solve these issues but it’s very high-level and therefore it's surprising that there are so many concerns.

We also want to come back to a comment from Colombia earlier this week that is very important, which is that if we want to do protocols then we also need commitments in the Convention. Protocols implement the commitments in the Convention and a Framework Convention is definitely not empty.

So it’s extremely important that we have in the framework the commitments that allow for the future protocols. On the environment we find it very important that the Common but Differentiated Responsibilities is implemented and integrated in this Convention because that is how we discuss environmental challenges. But it’s true that taxation is discussed in the climate negotiations and it has been for several decades because they don’t have the mandate to discuss international tax issues and until now they have never had a body to help them. So we all need to integrate this aspect and start working together so we can solve this issue. The discussion about new and innovative sources in the climate Convention is very old already. So this is a key issue to address.

Lastly, it is surprising to use that E seems to be the paragraph that there is least concern about because that’s the one we don’t understand. In paragraph 13 of the terms of reference we have dispute settlements under the Convention. So what disputes are we solving here if we are not talking about disputes under the Convention? Are these disputes that have arisen before the Convention? We have the same questions about disputes between who and on which rules. The Convention does not exist yet so it seems odd that we have a protocol that would address disputes other than what we would have under the Convention. It is a mystery to us.

I thank you.