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YOUNG GLOBAL'S

# GLOBAL TAXATION

A MONTHLY JOURNAL ON INTERNATIONAL TAXATION, TRANSFER PRICING & BEPS

**IFA MADRID CONGRESS 2016**

An aerial photograph of Madrid, Spain, taken during the golden hour of sunset. The sky is a warm, glowing orange and yellow. In the foreground, the ornate, white stone dome of the Cibeles Palace is prominent, topped with a black and gold sculpture. The surrounding city is a dense collection of buildings, with some lit up by streetlights and building lights. The overall scene is a vibrant and detailed view of the city's architecture and urban layout.

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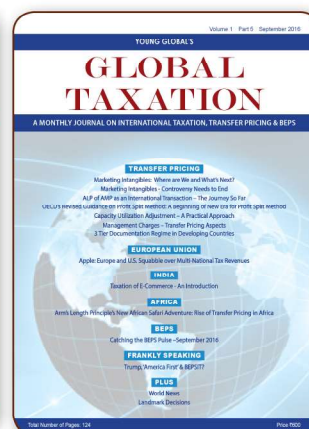
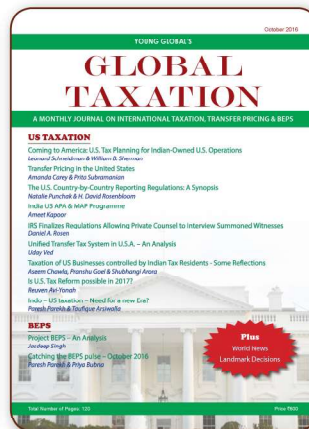
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*Hari Om Jindal*

Dear Colleagues,

The International Fiscal Association (IFA) was established in 1938 with its headquarters in the Netherlands. It is the only non-governmental and non-sectoral international organisation dealing with fiscal matters. Its objects are the study and advancement of international and comparative law in regard to public finance, specifically international and comparative fiscal law and the financial and economic aspects of taxation. IFA seeks to achieve these objects through its Annual Congresses and the scientific publications relating thereto as well as through scientific research. There is no better occasion for the tax world to gain truly meaningful, extremely interesting and substantive knowledge on tax 'hot' topics, all the while being in the company of old friends and having the pleasure of making new ones. Therefore, IFA's Annual Congress is a must attend event for all lovers of international taxation.

70th IFA Congress was recently held this year in Madrid, Spain. Congress officially opens on September 25, 2016 and took place at the state-of-the-art Feria de Madrid - North Convention and Congress Centre, at Recinto Ferial Juan Carlos I in Madrid, Spain. With the stunning museums, the typical sunny days and the Spanish hospitality along with the social events made this event a memorable experience for the participants.

The theme of this issue is entirely based on the subjects and speakers of this Congress. Mr. Porus F. Kaka, an eminent senior advocate in India, took charge as President of IFA in 2014 and will hold office till 2017. In a candid interview with the Managing Editor of this Journal, he shares his views on IFA's activities and investment environment in India. During the Congress, the OECD and IFA held their annual joint seminar on 28 September 2016. During this year's seminar, the OECD presented key developments in the area of tax transparency, followed by discussions by a panel of distinguished speakers led by Prof. Wolfgang Schön. In an interesting article written by Mr. Pascal Saint-Amans, who is director of the OECD Centre for Tax Policy and Administration, presents the highlights of the presentations held during this seminar. Mr. Robert B. Stack is the Deputy Assistant Secretary for International Tax Affairs at the U.S. Department of the Treasury. He was also the part of this panel discussion. He also shares his views on some of the issues discussed during this panel discussion.

Ms. Patricia A. Brown from University of Miami School of Law has written an article on "What Taxes are Covered by the "Taxes Covered" Article?" This article is based on the work of the members of the panel at the Madrid conference: Adolfo Martín Jiménez, the Chair of the panel, Marjaana Helminen, the General Reporter, Ricardo Garcia, the Secretary, and Wei Cui, Johanna Hey, Patricia Brown and Luis Schoueri. Mr. Hermann Peyerl received IFA's Mitchell B. Carroll Prize 2016 for his professorial thesis 'Die Verlagerung von Einkünften' [German], dealing with profit shifting and income attribution in tax law. In an article he summarizes some ideas from his 1350 pages book.

In the Congress, a number of issues discussed spotlight on Brazil. In an article, Ms. Ana Claudia Akie Utumi, who is also member of Advisory Board of this

## From the Editor's Desk

Journal, address some of these issues, taking into consideration changes or proposed changes occurred in 2016. Dr. Vikram Chand, who is the Executive Director – Executive Program in Transfer Pricing & Masters of Advanced Studies in International Taxation, at the University of Lausanne, Switzerland, in an article has defended his doctoral thesis on the interaction of domestic anti-avoidance rules with tax treaties.

Further, Mr. R P Garg, has written an article on controversies surrounding taxation of consortium. In a regular column, Mr. Paresh Parekh, Partner, International Tax, EY along with Priya Bubna, Manager, International Tax, EY discussed recent updates on BEPS around the world.

Hope you would find all these articles along with beautiful pictures of Madrid Congress interesting and useful. December issue will cover important decisions on international taxation and transfer pricing. Every year Foundation for International Taxation organizes international tax conference in Mumbai, India in the first week of December. This year conference will be held from December 1-3, 2016, and expected to be attended by over 450 delegates. The main theme of this year's conference is "BEPS And Beyond BEPS: A Year Later." Our January issue will be based on this conference.

I must request the authors to share their experiences with our readers. Apart from special topics, as mentioned above, we would cover latest update on international taxation, transfer pricing and BEPS every month irrespective of special issue. Therefore, authors can send articles on latest developments regularly for any of the issue. Please do not hesitate to mail your suggestions and feedback to [hojindal@yahoo.co.in](mailto:hojindal@yahoo.co.in)



[Hari Om Jindal]

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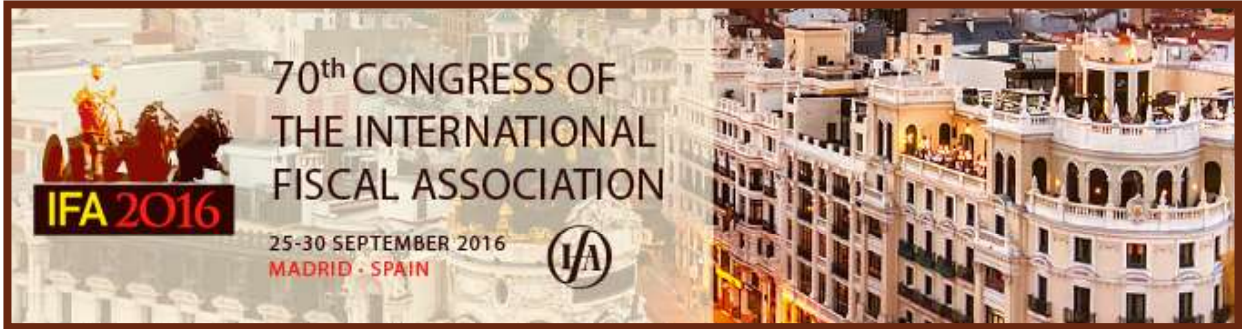
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# IFA MADRID CONGRESS 2016









## IFA 2017 IN RIO

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### IFA 2017 – YOUR RIO EXPERIENCE

The International IFA Congress will be held from August 27 – September 1, 2017 in the Barra da Tijuca beachfront district in the Marvelous City of Rio de Janeiro.

#### Fair Weather for the Congress in Barra da Tijuca:

Bars and restaurants of all shapes and sizes facing a long swathe of safe ocean beach, backed by a robust security structure and regular transportation network, make Barra da Tijuca the perfect place for casual open-air activities, especially cycling, jogging and strolling along seafront sidewalks and paths. From tranquil wilderness to lively clubs, this fashionable neighborhood offers unforgettable options for all tastes and budgets right around the clock.

#### Warm Welcome: A Great Strategy for an Unforgettable Congress

The Local Organizing Committee is focusing its efforts on pursuing excellence for every step in the organization structure. Offering a special Brazilian warm welcome to all participants is a major topic of discussion, striving to ensure unforgettable take-home memories of the IFA 2017 Conference for everyone. Careful planning guarantees attendee comfort from airport arrivals to homebound takeoffs.

#### Windsor Hotel and Events Center

Ranked among the world's leading hotel chains, the Windsor

Group has a well-established presence in Rio de Janeiro, renowned for its luxurious accommodation and efficient infrastructure.

Two of its hotels – the Windsor Oceânico and the Windsor Barra – share a newly-inaugurated Events Center that is strategically located between them, with brand-new facilities and an impressive array of foods and beverages.

Seeking the best possible venue for the Congress, this was an outstanding choice, and we hope you enjoy it to the full.

#### Opening Ceremony, Social Activities and Cultural Program

An integral part of every IFA Congress, these activities follow this tradition in Rio. Packed with surprises, this Program already features famous names from the music and dance world, showcasing Brazilian culture by bringing the samba beat of Carnival Parades right into the event.

#### Scientific Programme

##### CONGRESS SUBJECTS

The IFA Permanent Scientific Committee (PSC) selected the two subjects below for the IFA 2017 Congress.

**Subject 1 – International BEPS and Practical Consequences in Domestic and Multilateral Laws**

**Subject 2 – The future of transfer pricing**

#### SEMINAR PROGRAMME

1. Economic crisis and protection of taxpayers' rights – tax morality?
2. International indirect taxation of enterprise services. Multilateral, internal or bilateral approach?
3. Fragmentation of contracts and taxation
4. Automatic Exchange of Information: a new standard?
5. Recent Developments
6. IFA/EU
7. IFA/OECD
8. International Tax Impacts of Foreign Exchange Effects
9. Cost-sharing and Cost Contribution Agreements
10. Break out session on the APA