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Macroeconomic policy questions: promotion of inclusive and effective international cooperation on tax matters at the United Nations

Nigeria:* draft resolution

Promotion of inclusive and effective international tax cooperation at the United Nations

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Reiterating the timeliness and importance of strengthening international tax cooperation to make it fully inclusive and more effective, both in procedural and substantive terms, so that Governments may better cooperate in generating financing for development, combating illicit financial flows, recovering and returning stolen assets and promoting financial integrity for sustainable development,

Noting the corrosive effect that aggressive tax avoidance, tax evasion and illicit financial flows have on trust, the social compact, financial integrity, the rule of law and sustainable development, affecting the poorest and most vulnerable,

Reaffirming its resolution [69/313](#) of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, in which Member States committed, inter alia, to scaling up international tax cooperation and stressed that efforts in international tax cooperation should be universal in approach and scope and should fully take into account the different needs, priorities and capacities of all countries, in particular developing countries and countries in special situations, and reaffirming also its resolution [70/1](#) of 25 September 2015 entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

Recalling its resolution [77/244](#) of 30 December 2022, in which it decided to begin intergovernmental discussions at United Nations Headquarters on ways to strengthen the inclusiveness and effectiveness of international tax cooperation through the evaluation of additional options, including the possibility of developing an international tax cooperation framework or instrument that is developed and agreed upon through a United Nations intergovernmental process, taking into full consideration existing international and multilateral arrangements,

* On behalf of the States Members of the United Nations that are members of the Group of African States.



Emphasizing that increasing the legitimacy, stability and resilience of international tax rules is in the common interest of all relevant stakeholders in tax systems and requires scaling up international tax cooperation by establishing the legal basis for fully inclusive and more effective international tax cooperation in terms of substance and process,

Recognizing that respect for tax sovereignty implies international tax cooperation that allows all countries to effectively participate in developing the rules, by right and without preconditions,

Recognizing also that effective and inclusive participation in international tax cooperation implies that procedures must take into account the different needs, priorities and capacities of all countries to contribute meaningfully to the norm-setting processes, without undue restrictions, and support them in doing so, including giving them an opportunity to participate in agenda-setting, debates and decision-making, either directly or through country groupings, according to their preference,

Recognizing further that agenda-setting is a crucially important procedural aspect, as the way in which tax challenges requiring collective action are identified and framed often predetermines the scope and nature of the responses to those challenges, as well as the order of priority for dealing with them,

Stressing that inclusive and effective international tax cooperation requires legally established and transparent decision-making structures, such that the rules are clear, transparent and help to ensure that all participants are on an equal footing procedurally and have the same ability to engage meaningfully in decision-making, whether through consensus-based or voting-based processes, or a combination of the two,

Emphasizing that a fully inclusive and more effective international tax cooperation system requires robust processes for avoiding and resolving tax disputes in a principled and effective manner and keeping in mind that developing countries have limited resources to handle costly international dispute settlement processes,

Emphasizing also that international tax rules must respond to the needs, priorities and capacities of all countries and must appropriately address the ways in which modern markets operate and business is done,

Recalling the importance of the consideration of international tax cooperation in a more inclusive intergovernmental forum at the United Nations, and emphasizing that a United Nations intergovernmental process for tax-norm shaping and rule-setting, with full consideration of existing multilateral and international arrangements, would leverage existing strengths and address gaps and weaknesses in current international tax cooperation efforts and arrangements,

Noting that its resolution [69/313](#) also commits Member States to working to improve the fairness, transparency, efficiency and effectiveness of their tax systems,

Recognizing the need for all countries to work together to eliminate tax evasion, tax base erosion and profit shifting and to ensure that all taxpayers, including multinational companies, pay taxes to the Governments of countries where economic activity occurs and value is created, in accordance with national and international laws and policies,

Noting the work of the Committee of Experts on International Cooperation in Tax Matters and the 2023 special meeting of the Economic and Social Council on international cooperation in tax matters,

Noting also the work of the Organisation for Economic Co-operation and Development/Group of 20 Inclusive Framework on Base Erosion and Profit Shifting,

Noting further the implementation of the Standard for Automatic Exchange of Financial Account Information in Tax Matters under a common reporting standard developed by the Organisation for Economic Co-operation and Development, as well as the role of the Global Forum on Transparency and Exchange of Information for Tax Purposes,

Recalling the work of the Platform for Collaboration on Tax, which is to intensify collaboration and coordination on tax issues between the United Nations, the International Monetary Fund, the World Bank Group and the Organisation for Economic Co-operation and Development,

Noting the Group of 20 leaders' commitment to continue cooperation towards a globally fair, sustainable and modern international tax system appropriate to the needs of the twenty-first century during their summit held in New Delhi on 9 and 10 September 2023,

Noting also the work of the Addis Tax Initiative in fostering collective action to strengthen the capacities of developing countries for closing recognized gaps in development finance,

Noting further the work of the African Union, in collaboration with other pan-African institutions, in promoting international cooperation to fight illicit financial flows, including the decision by the Assembly of the African Union at its thirty-sixth ordinary session, held in Addis Ababa on 18 and 19 February 2023, to curb illicit financial flows that drain from the continent of Africa substantial financial resources paramount for economic and social development,

Reaffirming its commitment to strive to eliminate safe havens that create incentives for the transfer abroad of stolen assets and illicit financial flows,

Welcoming the report of the Secretary-General on the promotion of inclusive and effective international tax cooperation at the United Nations,¹

1. *Emphasizes* that a United Nations comprehensive convention on international tax cooperation is needed in order to strengthen international tax cooperation and make it fully inclusive and more effective;
2. *Recognizes* that this will also help in accelerating the implementation of the Addis Ababa Action Agenda on Financing for Development and the 2030 Agenda for Sustainable Development;
3. *Decides* to establish a Member State-led, open-ended ad hoc intergovernmental committee for the purpose of elaborating a comprehensive convention on international tax cooperation;
4. *Also decides* that the ad hoc intergovernmental committee shall convene in New York for up to 15 working days at a time, within available time frames, and with the contribution of international organizations and civil society, in accordance with established practice, and shall hold its organizational session as soon as possible and finalize its work preferably not later than June 2025;
5. *Further decides* that the bureau of the ad hoc intergovernmental committee shall be made up of 10 members, consisting of a chair, vice-chairs and a rapporteur, elected on the basis of balanced geographical and gender representation, with each of the five regional groups being represented by two members;
6. *Requests* the ad hoc intergovernmental committee, in elaborating the comprehensive convention on international tax cooperation:

¹ [A/78/235](#).

(a) To take into account the needs, priorities and capacities of all countries, in particular developing countries and countries in special situations;

(b) To adopt a holistic, sustainable development perspective that considers the interaction of international tax rules with other important economic and social policy areas, such as trade and investment, inequality, the environment, gender, health and intergenerational aspects, and that recognizes the need for sufficient flexibility and resilience in the international tax system to continuously ensure equitable results as technology and business models and the international tax cooperation landscape evolve;

(c) To elaborate measures against tax-related illicit financial flows and the taxation of income derived from the provision of cross-border services in an increasingly digitalized and globalized economy, and examine other priority issues;

7. *Requests* the Secretary-General to allocate the necessary resources to support the work of the ad hoc intergovernmental committee;

8. *Requests* the ad hoc intergovernmental committee to submit a progress report to the General Assembly at its seventy-ninth session, with a view to addressing in the report the scope and basic mechanisms of the comprehensive convention on international tax cooperation;

9. *Decides* to consider the report of the ad hoc intergovernmental committee at its seventy-ninth session and to include in the provisional agenda of its seventy-ninth session, under the item entitled “Macroeconomic policy questions”, the sub-item entitled “Promotion of inclusive and effective international cooperation on tax matters at the United Nations”.
