

**Vienna Multi-Stakeholder Group on
Vat and Disputes**

**Conference “Cross-Border
VAT/GST Disputes:
Exploring Prevention and
Resolution Mechanisms”**



January 21-22, 2025 • Vienna



Institute for Austrian and
International Tax Law **Vienna**
WU Global Tax Policy Center

Abstract

Value-added tax is an integral part of the tax systems in most countries worldwide due to its advantages such as a broad base, neutrality, and its ability to discourage tax evasion. On the one hand, it allows for the capture of additional tax revenue, generating around 33.3% of the global state budget, thereby contributing to the sustainable development of countries. On the other hand, the extensive application of VAT/GST, especially in international trade, has introduced new challenges exacerbated by emerging digitalization and globalization of economic relations. The development of new business models has led to an increase in cross-border transactions subject to indirect taxation and a significant number of suppliers needing to comply with VAT/GST legislation. The wide range of rules for VAT/GST collection applied in different jurisdictions, and the lack of complete harmonization, even within integrations, may lead to disagreements between tax authorities and taxable persons regarding the interpretation and application of the VAT/GST laws, resulting in cross-border disputes.

The project on cross-border VAT/GST dispute prevention and resolution, conducted by the Vienna Multi-Stakeholder Group on VAT and Disputes, originated as a response to the issue of VAT/GST disputes arising in international trade. Evidence obtained through online questionnaires has demonstrated that this aspect of tax disputes, often overlooked, is more extensive than tax policymakers and academics previously considered. At the same time, notwithstanding the growing likelihood of encountering cross-border VAT/GST disputes, the current international dispute prevention and resolution framework lacks efficient remedies for mitigating this issue. Compliance and administrative burdens, tax uncertainties related to unresolved cross-border VAT/GST disputes, and potential impacts on international trade and investment business decisions underscore the need to develop solutions to minimize and efficiently resolve such disputes.

The conference “Cross-Border VAT/GST Disputes: Exploring Prevention and Resolution Mechanisms” will provide a platform for government officials, leading practitioners, and other stakeholders from around the globe to discuss and explore the evolving challenges and opportunities in the realm of VAT/GST, particularly in the context of cross-border disputes. Participants will gain insights into the changing role of VAT/GST in the digital environment, understand the underlying causes of cross-border VAT/GST disputes from various perspectives, and explore mechanisms and innovative technologies to prevent and resolve VAT/GST disputes.

Vienna Multi-Stakeholder Group on VAT and Disputes Conference “Cross-border VAT/GST Disputes: Exploring Prevention and Resolution Mechanisms”

Program

TUESDAY, JANUARY 21, 2025

09:30 – 10:00	Registration
10:00 – 10:15	Opening of the Conference Welcome address
10:15 – 10:30	Opening remarks Background and current status of the Project <i>Richard Stern (WU)</i> <i>Jeffrey Owens (WU)</i>
10:30 – 11:00	Session 1: The changing role of VAT/GST in the digital environment Chaired by Richard Stern (WU) Speakers: <ul style="list-style-type: none"> - <i>Madeleine Merkx, Professor of Indirect Taxes at Erasmus School of Law</i> - <i>TBC</i> <p><i>The Session will focus on the evolving challenges and opportunities presented by the digitalized economy for VAT/GST systems. This session will delve into how digitalization has affected the paradigm of cross-border VAT/GST disputes and how it transforms traditional VAT/GST frameworks, impacting compliance, collection, and enforcement across borders. The participants will gain insights into the latest trends, regulatory responses, and best practices for managing VAT/GST in an increasingly digital world.</i></p>

	Open Discussion
11:00 – 11:30	Coffee break
11:30 – 13:00	<p>Session 2: The underlying causes of cross-border VAT/GST disputes</p> <p><i>Chaired by Jeffrey Owens (WU)</i></p> <p>Speakers:</p> <ul style="list-style-type: none"> - <i>Karoline Spies, Professor at the Institute for Austrian and International Tax Law, WU</i> - <i>TBC</i> <p>Panelists:</p> <ul style="list-style-type: none"> - <i>Karl-Heinz Haydl, Global VAT expert and Business</i> - <i>Representative of a business (TBC)</i> - <i>Representative of a tax administration (TBC)</i> <p><i>The Session will focus on the EU and non-EU businesses' and tax administrations' perspectives on what causes cross-border VAT disputes and how this has changed over the years, with the development of technologies and implementing new regulations. The Session will provide an overview of the combined results of the Global VAT/GST and Supplementary Intra-EU Questionnaires and Short EU Survey, which would include estimating the scale of the problem and examining the reasons for cross-border VAT/GST disputes.</i></p> <p>Open Discussion</p>
13:00 – 14:30	Lunch break
14:30 – 15:45	<p>Session 3: Identifying ways to prevent cross-border VAT/GST disputes</p> <p><i>Chaired by Jeffrey Owens (WU)</i></p> <p>Speakers:</p> <ul style="list-style-type: none"> - <i>TBC</i> <p>Panelists:</p> <ul style="list-style-type: none"> - <i>Yan Xu, Associate Professor of Tax Law, UNSW Sydney</i> - <i>Karl-Heinz Haydl, Global VAT expert and Business</i> - <i>Representative of a business (TBC)</i> - <i>Representative of a tax administration (TBC)</i>

	<p><i>The Session will delve into the critical importance of preventing cross-border VAT/GST disputes and expand on the possible mechanisms, including binding cross-border rulings, improved tax authority guidelines and administrative practices at the domestic level, greater consistency of the VAT/GST systems, aligning the positions taken by the VAT/GST, customs and direct tax authorities regarding Transfer Pricing Adjustments, etc. The discussion will aim at exploring the practice of EU and non-EU countries and obtaining views on how such mechanisms could be improved or extended.</i></p> <p>Open Discussion</p>
15:45 – 16:15	Coffee break
16:15 – 17:30	<p>Session 4: The use of cooperative compliance programs to minimize cross-border VAT/GST disputes</p> <p>Chaired by Jeffrey Owens (WU)</p> <p>Speakers:</p> <ul style="list-style-type: none"> - <i>Timoleon Angelos Christodoulopoulos, Teaching and Research Associate, WU</i> <p>Panelists:</p> <ul style="list-style-type: none"> - <i>Representative of a business (TBC)</i> - <i>Representative of a tax administration (TBC)</i> <p><i>The objective of the Session will be to explore the potential of Cooperative Compliance (CC) for cross-border VAT/GST disputes minimization. The panel will focus on the role that CC has played in mitigating this issue by examining tax administrations and businesses' practical experience of participation in CC Programs and discuss the opportunities that implementation of Multilateral CC Programs could provide.</i></p> <p>Open Discussion</p>
18:30 – 21:30	Traditional Viennese Dinner

WEDNESDAY, JANUARY 22, 2025

09:00 – 10:00	<p>Session 5: Leveraging innovative technologies to prevent and resolve cross-border VAT/GST disputes</p> <p>Chaired by Richard Stern (WU)</p> <p>Speakers:</p> <ul style="list-style-type: none"> - TBC <p>Panelists:</p> <ul style="list-style-type: none"> - Aleksandra Bal, Indirect Tax Technology Lead, Stripe - Jonathan Lacey, Director of International Tax Affairs, Microsoft - Representative of a tax administration (TBC) <p><i>The Session will focus on the role the innovative technologies, e.g., Artificial Intelligence, Machine Learning, Advanced Analytics, could play in preventing and resolving cross-border VAT/GST disputes. The panel will discuss the practical experience of using such technologies around the world, as well as provide better insights into the challenges associated with their utilization.</i></p> <p>Open Discussion</p>
10:00 – 10:30	Coffee break
10:30 – 12:30	<p>Session 6: Mechanisms to resolve cross-border VAT/GST disputes: enhancing accessibility and improving the court litigation practices</p> <p>Chaired by Richard Stern (WU)</p> <p>Speakers:</p> <ul style="list-style-type: none"> - Ine Lejeune, Attorney, Belgium <p>Panelists:</p> <ul style="list-style-type: none"> - Mariken van Hilten, Vice president, Supreme Court of Netherlands - TBC <p><i>The Section will provide a general overview of how court practices could be advanced to ensure a more efficient and effective cross-</i></p>

	<p><i>border VAT/GST disputes resolution process (e.g., by improving court practices at the domestic level and making the courts more accessible; implementing written court procedure for technical disputes; specialization of judges in VAT/GST, etc.) and examine best practices from around the globe.</i></p> <p>Open Discussion</p>
12:30 – 13:30	Lunch break
13:30 – 15:30	<p>Session 7: Mechanisms to resolve cross-border VAT disputes: alternative dispute resolution methods</p> <p>Chaired by Richard Stern (WU)</p> <p>Speakers:</p> <ul style="list-style-type: none"> - <i>David Orzechowski-Zölzer, Federal Ministry of Finance, Austria</i> <p>Panelists:</p> <ul style="list-style-type: none"> - <i>Ine Lejeune, Attorney, Belgium</i> - <i>Roelof Vos, Partner, Hertoghs Advocaten</i> - <i>Tânia Carvalhais Pereira, Head of Tax, CAAD</i> <p><i>The key objective of the Session is to examine the advantages of the Alternative Dispute Resolution mechanisms, including arbitration, mediation, creating an arbitration court, establishing an international mediation panel, digital mediation, Article 25 of the OECD/UN Model Convention, etc.) in the area of cross-border VAT/GST disputes resolution. By obtaining both developed and developing countries' perspectives, the panel will identify the main barriers to implementing such solutions.</i></p> <p>Open discussion</p>
15:30 – 16:00	<p>Next Steps</p> <p>Chaired by Richard Stern (WU)</p>