

Index

Amount A, 7-8, 132, 140-86, 207, 227, 233-35, 251-64 Automated Digital Services (ADS), 133, 135, 138, 140-41, 164-80, 233 Consumer-Facing Businesses (CFB), 140 Digital Taxation, See this index Pillar One. See this index Amount B, 138, 140 Pillar One. See this index Anti-Tax Avoidance Directive (ATAD), 5-7, 225 ATAD II, 5-6 Arm's Length Standard (ALS), 97-130, 132, 140-86, 227-30, 232, 248, 251, 256-57 Transfer Pricing (TP). See this index Base Erosion and Anti-Abuse Tax (BEAT), 1, 6, 131, 144, 189, 204, 206-7, 213, 225 Tax Cuts and Jobs Act (TCJA), See this index Base Erosion and Profit Shifting (BEPS), 5–10, 17, 25–26, 83–85, 131, 134, 136–43, 147–86, 189, 194–227, 230, 232, 237, 249, 251, 260, 262-64, See generally Chapter 4 BEPS 1.0, See this index BEPS 2.0, See this index Benefits Principle (BP), 2, 7-8, 12, 88-89, 93, 122, 129, 188–89, 191, 195–225, 257–58 Ancien Régime, The, 249, See generally Chapter 1, Chapter 2 League of Nations, See this index Residence, See this index Source. See this index BEPS 1.0, 5-8, 10, 133, 136, 141, 147-48, 157, 189, 194-95, 237, 262-63, See generally Country-by-Country Reporting (CBCR), See this index

Deduction / No Inclusion (D/NI), 102
Digital Economy. See this index (Digital Taxation)
Double Deduction (DD), 102
Hybrid Mismatch, 5, 7, 98, 203, 261–62, See generally Chapter 4 (4.2.6)
BEPS 2.0, 7–10, 130, 136, 138–39, 249–51, 260–64, See generally Chapter 5, Chapter 6
Global Tax Deal. See this index
Inclusive Framework (IF). See this index
Bilateralism, 5, 11, 73–85, 88, 103, 109, 121, 133, 147, 153, 158, 161–63, 166, 181, 228, 262
Bilateral Tax Treaty, 103, 109, 121–22, 133, 147–48, 153, 158, 161–63, 181, 228, 262

202, 220
Exchange of Information. See this index
Controlled Foreign Corporation (CFC), 2–3, 5–7,
27, 29, 87, 99, 101, 103–5, 127–29, 187, 203–6,
213, 215, 262
Corporate Alternative Minimum Tax (CAMT). 238,

Common Reporting Standard (CRS), 5, 9-10, 70,

247–48, See generally Chapter 6 (Section 3.2.1)
Inflation Reduction Act (IRA). See
this index

Country-by-Country Reporting (CBCR), 109, 117–20, 126–27, 208, 262

Digital Services Tax (DST), 7, 133–35, 140, 148–49, 151–52, 164–65, 181, 183, 185–87, 223–24, 226–27, 231–32, 234–35, 261–63, See generally Chapter 5 (Sections 5.1.1, 5.3.3, 5.3) See also Chapter 7 (Sections "DSTs", "Withholding Taxes in the UN Model")

Trade War, 131–35, 138, 152, 186, 203, 230–31, 235, See generally Chapter 5 (Section 5.3)



266 Index

Digital Services Tax (DST) (cont.)
United States Trade Representative (USTR),
87–134, See generally Chapter 5 (Section 5.3)
Digital Taxation. See generally Chapter 5
Article 12B LIN Model Treaty. See this index

Article. 12B, UN Model Treaty. See this index (United Nations (UN))
Digital Economy, 2, 7, 10, 202, 224, 229, 261–62,

264, See Chapter 4 (Section 4.2.5) Digital Services Tax (DST). See this index Equalization Levy (EL). See this index Pillar One. See this index

Digitalization, 1, 10, 139–40 Digital Taxation. See this index

Diverted Profits Tax (DPT), 137, 227

Efficiency, 38, 42, 46, 49, 53, 59, 102, 178–79, 200, 259, See generally Chapter 2 (Section 2.3.1) Capital Export Neutrality (CEN), 216–17, See generally Chapter 4 (Section 2.3.1)

Capital Import Neutrality (CIN), 216–17, See generally Chapter 4 (Section 2.3.1)

Capital Ownership Neutrality (CON), 217, See generally Chapter 4 (Section 2.3.1)

Neutrality, 66, 123, 216–17, See generally Chapter 4 (Section 4.3.1)

Equalizations Levy (EL), 228

Equity, 2, 8, 15–16, 38, 46, 49, 51, 53, 178, 200, 259, 261, 263–64, See generally Chapter 2 (Section 2.3.2), See also Chapter 2 (Section 2.4.3)

Developing Country, 2, 7, 16, 19, 24, 27, 36, 43–44, 47, 50, 69, 74, 98–99, 107, 109, 113–14, 119, 124, 128, 131, 135, 138, 144, 164, 192–225, 234, 236, 246, 259, 261, 263–64, , See generally Introduction (Section I.3), Chapter 2 (Sections 2.4.2, 2.4.3) *See also* Chapter 1 (Sections 1.2, 3.1), Chapter 6 (Section 6.4.2.1) Inclusive Framework (IF). *See* this index

Exchange of Information, 9, 24, 84, 90, 107, 109, See generally Chapter 3 (Section 3.2) Automatic Exchange of Information (AEoI), 10, 83–84

Common Reporting Standard (CRS). See this index

Exchange of Information on Request (EoIR), 84 Tax Information Exchange Agreements (TIEA), 5, 72–73, 76–85

Financial Crisis, 1, 3, 10, 64, 68–69, 73, 75, 84, 136, 193–94, 202, 227, 251

Austerity, 1, 4, 69, 194, 202

Foreign Account Tax Compliance Act (FATCA), 4–5, 70, 82, 84, 88, 93, 201–2, 262–63, See generally Chapter 3 (Section 3.2)

Automatic Exchange of Information (AEoI). See this index (Exchange of Information)

Foreign Financial Institution (FFI), 5, 72 Intergovernmental Agreement (IGA), 5, 70, 82, 88, 263, *See generally* Chapter 3 (Section 3.2) Foreign Derived Intangible Income (FDII), 230, 238, 247–48

Tax Cuts and Jobs Act (TCJA). See this index Foreign Tax Credit (FTC), 2, 9, 13, 17, 60, 72, 102, 129, 133, 151, 180, 189, 196, 204, 213–14, 219, 231–32, 235, 250, 258–59

G20, 5, 7–8, 93–94, 96, 99–101, 104, 109, 113–14, 123–26, 129–31, 136–38, 146, 165, 189–226, 232–33, 263

Base Erosion and Profit Shifting (BEPS). See this index

Global Minimum Tax. See this index Global Tax Deal. See this index Pillar Two. See this index

General Anti-Avoidance Rule (GAAR), 229 Global Anti-Base Erosion (GLoBE),

145, 148, 164, 190, 213, 220, 236, 239–42, See generally Chapter 6 (Sections 6.3.1.1, 6.3.1.3) Pillar Two. See this index

Global Intangible Low-Taxed Income (GILTI), 6–7, 10, 131, 144, 164, 187, 189, 205–8, 213, 219, 222–23, 225, 246, See generally Chapter 6 (Section 6.3.2.2)

Qualified Business Asset Investment (QBAI), See this index

Tax Cuts and Jobs Act (TCJA), See this index

Global Minimum Tax, 10, 132, 139, 152, 187–88, 190–225, 236–37, 260, *See generally* Chapter 5 (Section 5.2.4), Chapter 6 (Sections 6.3, 6.4), Corporate Alternative Minimum Tax (CAMT), *See* this index

Pillar Two. See this index

Globalization, 1–10, 30, 43, 45, 53–59, 65, 69, 89, 92–93, 129, 187, 191–93, 196, 198, 225, 249, 260, See generally Introduction (Section I.1), Chapter 2 (Section 2.1)

Capital Mobility, 24–25, 29–30, 34–35, 38–68, 73–74, 192, 198, 259–60 Tax Competition. *See* this index

Inclusive Framework (IF), 133, 139, 142, 157, 186, 201, 209–26, 232, 246, 263–64 BEPS 2.0. See this index

Income Inclusion Rule (IIR), 8, 145, 188, 190 Pillar Two. See this index

Inflation Reduction Act (IRA), 191, 207, 238–41, 243–44, 246–47, *See generally* Chapter 6 (Section 6.3.2)

Corporate Alternative Minimum Tax (CAMT). See this index



Index 267

League of Nations. 1, 8, 11–12, 14, 67, 197, 224, 232, 249, 258, 263

Ancien Régime, The. See this index (Benefits Principle (BP)

Benefits Principle (BP). See this index Report on Double Taxation in 1923 8, 12, 14–15, See generally Chapter 8 (Section 8.1)

Limitation on Benefits (LOB), 109 Tax Treaty. See this index

Market, 9–10, 55, 57, 60–68, 134, 170, 172–74, 186, 205, 236, 245–48, 250

Market Jurisdiction, 2–10, 25–26, 33, 131–32, 135–86, 227–28, 230, 232–34, 251–52, 256–57, 261, 263, See generally Chapter 2 (Section 2.2.2.1)

Multilateralism, 49, 63, 73, 83–85, 93, 99, 110, 122, 124–27, 130, 135–37, 164, 166, 177, 185–86, 204, 230, 237, 261–63

Multilateral Agreement on Administrative Cooperation in Tax Matters (MAATM), 5–6, 9, 70, 83, 88, 92–130, 248, See generally Chapter 3 (Section 3.2)

Multilateral Instrument (MLI), 121–22, 143, 146–86, 226, 262

Multilateral Tax Convention (MTC), 79, 81–82, 133, 152, 156–58, 222–23, 226, 233, 261 Multinational Anti-Tax Avoidance (MAAL),

Mutual Agreement Procedure (MAP), 120–21 Tax Treaty. See this index

Organisation for Economic Co-operation and Development (OECD), 2–3, 5, 7, 10, 20, 33–34, 36–37, 43–45, 51–55, 57–68, 70, 73–75, 81, 84, 87–101, 103–5, 110, 114–16, 122–23, 127–33, 136–39, 143, 146–47, 149, 152, 155–58, 164, 189, 191–92, 194–95, 202, 207, 209–26, 232–34, 239–41, 246, 248, 263–64

Base Erosion and Profit Shifting (BEPS). See this index

Common Reporting Standard (CRS). See this index

Global Tax Deal. See this index Inclusive Framework (IF). See this index OECD Model Treaty, 11, 13, 78–85, 102, 108–12, 121

Permanent Establishment (PE), 2, 7–8, 12–13, 25–26, 32–33, 67, 100, 110–12, 137–86, 207, 227–30, 232, 237, 251

Tax Treaty. See this index

Pillar One, 7–9, 132–35, 139, 145, 187, 190, 195, 207, 215–16, 219–20, 222–24, 226–27, 236, 249, 251, 256, 260–63, See generally Chapter 5

(Sections 5.2.1, 5.2.2, 5.2.3), Chapter 7 (Section 7.1), *See also* Chapter 5 (Sections 5.3 5.4, 5.5), Chapter 8 (Sections 8.1.1, 8.2),

Amount A. See this index

Amount B. See this index

Pillar Two. 7–10, 132–33, 139, 148, 150–51, 158, 164–65, 186, 226, 232–33, 249, 251, 260–64, See generally Chapter 5 Section 5.2.4), Chapter 6, Chapter 7 (Section 7.2), See also Chapter 8 (Sections 8.1.2, 8.3)

Global Anti-Base Erosion (GLoBE), See this index

Global Minimum Tax, See this index

Income Inclusion Rule (IIR), See this index

Qualified Domestic Minimum Top-Up Tax (QDMTT), See this index

Qualified Flow Through Tax Benefits (QFTB), See this index

Qualified Refundable Tax Credits (QRTC), See this index

Single Tax Principle (STP), See this index

Subject to Tax Rule (STTR), See this index

Substance Based Income Exclusion (SBIE), See this index

Principal Purpose Test (PPT, alternatively Primary Purposes Test), 6, 109 Tax Treaty, *See* this index

Qualified Business Asset Investment (QBAI). 206 Global Intangible Low-Taxed Income (GILTI), See this index

Qualified Domestic Minimum Top-Up Tax (QDMTT), 8–9, 189–91, 209, 212–13, 232, 236, 253, 263

Pillar Two. See this index

Qualified Flow through Tax Benefits (QFTB), 243–47, See generally Chapter 7 (Section 7.2.2.3) Pillar Two. See this index

Qualified Refundable Tax Credits (QRTC), 241, 243–45, 247, See generally Chapter 7 (Section 7.2.2.1)

Pillar Two, See this index

Residence. 11, 95–96, 123, 125, 131, 164, 185, 215, 218, 253

Residence Jurisdiction, 2–3, 5, 8, 12–16, 23, 25, 30–33, 67, 85, 89–90, 93, 102–3, 109, 122–23, 127, 132, 141, 145, 188–90, 207–25, 249–64

Residence-based Taxation, 2–3, 5, 8–9, 14–17, 21, 23–24, 35, 48, 60, 66–68, 88–89, 93–94, 98, 122, 126, 130, 134, 145–46, 164, 186, 188–90, 195–225, 229, 251–56, 258–61



268 Index

Single Tax Principle (STP), 2, 8, 94–95, 118, 132, 144, 186–225, 249, 253, 256–60, 264, See generally Chapter 6 (Section 6.2) Pillar Two, See this index

Source, 11, 20–21, 23, 28, 34, 36–37, 42–43, 50, 66, 72, 82, 88, 95–96, 108, 124, 128–29, 143–44, 206, 217, 225, 238, 249, 253

Source Jurisdiction, 2–3, 5, 7–8, 12, 22, 35, 47, 90, 93, 102, 104, 122–23, 127, 131, 145, 180, 187–90, 193, 202, 206–25, 232, 249–64

Source-based Taxation, 2-3, 5, 7–8, 12–17, 22–25, 30–32, 34, 47, 60, 66–68, 88–90, 93–94, 98, 122, 130, 134, 137, 145, 155, 164, 186–90, 196–225, 251–61, 263

Subject to Tax Rule (STTR), 145, 189–91, 207–8, 210, 217–19, 223, *See generally* Chapter 6 (Section 6.3.1.2)

Pillar Two, See this index

Subpart F, 31–32, 37, 89, 91, 128, 197–99
Controlled Foreign Corporation (CFC). See this index

Substance-Based Income Exclusion (SBIE), 209, 213, 221, 246, 248 Pillar Two. See this index

Tax Competition, 1–4, 9–10, 69, 73, 89, 93–94, 99, 103, 107, 126, 128, 136, 145, 187–225, 244, 246, 260–61, 263, See generally Chapter 2, Chapter 6 (Sections 6.1, 6.2)

Tax Credit, 192, 236, 238, 243, 246
Foreign Tax Credit (FTC). See this index
Investment Tax Credit (ITC), 49, 239, 241
Qualified Flow Through Tax Benefits (QFTB).
See this index

Qualified Refundable Tax Credits (QRTC). See this index

Tax Cuts and Jobs Act (TCJA). 4, 6–7, 10, 139, 144, 155, 164, 189, 191, 204–7, 213, 217, 237, 247
Base Erosion and Anti-Abuse Tax (BEAT). See this index

Foreign Derived Intangible Income (FDII). See this index

Global Intangible Low-Taxed Income (GILTI). See this index

Tax Havens, 9, 19–20, 33, 36–37, 40, 48–49, 73–75, 83–84, 89, 93, 104, 111, 122, 125, 195, 198, 204, 219, 221, 234, See generally Chapter 2 (Sections 2.2.1, 2.2.2)

Tax Competition. See this index

Tax Treaty, 8, 12–13, 18, 24, 26, 72, 108, 122, 147–48, 155–56, 163, 179, 197–98, 206, 209, 227–28, 258 Bilateral Tax Treaty. See this index Limitation on Benefits (LOB). See this index Multilateral Instrument (MLI). See this index (Multilateralism)

Multilateral Tax Convention (MTC). See this index (Multilateralism)

Mutual Agreement Procedure (MAP). See this index

OECD Model Treaty. See this index (OECD) Permanent Establishment (PE). See this index Principal Purpose Test or Primary Purposes Test (PPT). See this index

Subject to Tax Rule (STTR). See this index Treaty Override, 133, 149, 158, 161, 229, See generally Chapter 5 (Section 5.4.1)

UN Model Treaty. See this index (UN)

Trade

Digital Services Tax (DST). See this index Trade War. See this index (DST) United States Trade Representative (USTR). See this index (DST)

World Trade Organization (WTO), 26, 165, 237, 246–47

Transfer Pricing (TP), 7, 29, 83, 101, 104, 112–20, 186, 220, 260

Arm's Length Standard (ALS). See this index Country-by-Country Reporting (CBCR). See this index

Transfer Pricing Guidelines (TPG). 112, 114, 121 Transparency, 69, 74–75, 83–85, 94, 98, 102, 106–8, 118–20, 122, 201, 261–62

Country-by-Country Reporting (CBCR). See this index

Exchange of Information. See this index

Trilemma, 1, 18, 191, 193, 260 Globalization. See this index Social Safety Net, 1–3, 18–20, 188, 191–95, 225, 260 Tax Competition. See this index

Undertaxed Profits Rule (UTPR), 8, 145, 189–90, 207–10, 212–13, 215, 217–25, 232, 236–41, 243, 247, 253

Pillar Two, See this index, See this index Unilateralism, 2–3, 21, 23, 85, 99, 121, 124, 126, 133–86, 189–90, 193, 200, 217, 223, 230, 261–64

Constructive Unilateralism. See also Chapter (2.3), See generally Chapter 4 (Section 4.3.5), See also Chapter 6 (Section 6.2.3)
Digital Services Tax (DST). See this index
English Account Tax Compliance Act

Foreign Account Tax Compliance Act (FATCA). See this index

United Nations (UN), 35, 74, 99, 122, 232, 263 Article. 12B, UN Model Treaty, 164, 228, 231–32, See generally Chapter 5 (Section 5.4.4.2) UN Model Treaty, 11, 112

Value Added Tax (VAT), 27, 44, 52–53, 57, 100–1, 230, 239