

CONCURRENCE FISCALE DOMMAGEABLE

Un problème mondial



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La Concurrence Fiscale Dommageable

Rosina Ehmann



La Concurrence Fiscale Dommageable:

La concurrence fiscale dommageable Selçuk Altindag, 2009-11-01 La concurrence fiscale est un phénomène pour lequel une coopération a été initiée par l'Union européenne en 1996 et par l'OCDE en 1998. L'OCDE a concentré ses efforts sur la désignation des pays non coopératifs et la mise en œuvre d'actions coercitives leur encontre. Lutte contre l'évasion et la fraude fiscale internationales : pression de la fraude fiscale en matière pénale. Pour l'Union européenne, la structure de coopération ad hoc n'est prévue ni par les Traités ni en droit communautaire ; donc la contrainte est très faible. Concurrence fiscale dommageable Un problème mondial OECD, 1998-05-19 La mondialisation a eu des effets positifs sur le développement des systèmes fiscaux et a encouragé les pays à engager des réformes fiscales destinées à élargir leurs bases d'imposition et à réduire leurs taux d'imposition. Cependant, elle a aussi... **La concurrence fiscale dommageable** Lionel Noguera, 2000 *Concurrence fiscale dommageable*, 1998 La mondialisation a eu des effets positifs sur le développement des systèmes fiscaux et a encouragé les pays à engager des réformes fiscales destinées à élargir leurs bases d'imposition et à réduire leurs taux d'imposition. Cependant, elle a aussi créé un... *Projet de l'OCDE sur les pratiques fiscales dommageables Rapport d'étape 2001* OECD, 2002-01-18 Ce rapport dresse les progrès réalisés dans l'identification des pratiques fiscales dommageables à l'intérieur et en dehors de la zone de l'OCDE ainsi que dans la lutte contre ces pratiques. Il rend compte des travaux effectués au sujet des

La lutte contre la concurrence fiscale dommageable Philippe Montagné, 2008 La mondialisation des échanges a créé au niveau fiscal des distorsions entre les États. Certains utilisent ce domaine afin d'attirer des capitaux. Ce phénomène de concurrence fiscale dommageable est au cœur des débats au sein de l'OCDE et de l'Union européenne. Afin de lutter contre cette dérive, ces institutions ont tablé sur des modes d'identification et de gel des pratiques existantes. Ayant chacune un objectif propre, il apparaît un nombre de convergences mais également de différences dans la mise en œuvre de la lutte. Les institutions ne disposent que de moyens juridiquement limités pour faire appliquer leurs décisions. Ces organisations intergouvernementales devant faire face aux pratiques de leurs propres membres doivent sensibiliser les États à ce problème. Dans ce cadre et pour éviter une ingérence, chaque État doit accepter les règles internationales tout autant qu'il condamne ses voisins. Le travail des organisations est de faire coopérer les États avec elles et entre eux. Les stratégies internationales sur la concurrence fiscale dommageable Sebastiano Garufi, 2011 Le but de cette recherche est d'analyser les fondements juridiques et théoriques des initiatives prises au niveau international pour lutter contre la fraude et l'évasion fiscales internationales qui ont lieu par l'intermédiaire des paradis fiscaux. Ce travail se concentre sur les questions fiscales liées à ces juridictions et peu d'attention est accordée aux activités criminelles internationales. Cette recherche examinera les définitions existantes de paradis fiscaux et de centres financiers offshore, les origines, l'évolution et l'impact de ces juridictions sur les économies des autres pays. Fournira un aperçu des stratégies de minimisation des impôts les plus communes et démontrera que les juridictions fiscalité faible ne sont qu'un produit du principe de l'imposition mondiale. L'analyse est aussi focalisée sur la littérature économique actuelle de la

concurrence fiscale th ories classiques et th ories modernes afin de traiter des initiatives politiques et l gislatives prises au sein de l UE de l OCDE et au niveau national visant r duire les effets nocifs de la concurrence fiscale par les paradis fiscaux en particulier de l change de renseignements entre administrations fiscales On d montrera qu il existe des contradictions dans la position th orique de l OCDE que les organisations non gouvernementales ne sont pas les institutions appropri es pour laborer un r gime international contre les pratiques fiscales dommageables et que le refus des paradis fiscaux d changer des renseignements ne peut pas tre consid r comme une violation du droit international

La concurrence fiscale internationale Thierry Madiès, 2020-02-20

Les aides d'État de nature fiscale en droit de l'Union européenne Ioanna Papadamaki, 2018-02-26

L tude repose sur l hypoth se que les aides d tat de nature fiscale sont autonomes se singularisant par rapport aux autres r gles du droit fiscal de l Union Cela est essentiellement d au fait que la finalit du contr le des aides fiscales n est pas facilement perceptible Essayer de d terminer la finalit ou mieux la pluralit des finalit s de ce contr le constitue l objectif principal de cet ouvrage La d monstration de la finalit prot iforme du contr le des aides fiscales est fond e sur une m thode d identification d une aide fiscale reposant sur deux l ments clefs une double rupture d galit devant l imp t et dans la concurrence cet gard les autorit s de l Union b n ficient de pouvoirs importants Cela leur permet d tendre les finalit s de ce contr le laissant appara tre sur ce point une correspondance entre la technique d identification d une aide fiscale et les finalit s recherch es du r gime des aides fiscales Le r gime des aides fiscales d passe son cadre initial de contr le des syst mes fiscaux pour int grer celui d laboration de r gles juridiques communes Les autorit s de l Union par le biais du r gime des aides fiscales contr lent les syst mes fiscaux nationaux Dans le m me temps elles parviennent jouer un r le important dans la coop ration inter tatique au regard de la lutte contre la concurrence fiscale dommageable Plus important encore elles parviennent coordonner les syst mes fiscaux nationaux proc dant une instrumentalisation du contr le des aides fiscales un contr le con u comme un succ dan de l harmonisation fiscale Cette analyse permet de poser certaines interrogations quant la capacit du contr le faire voluer le droit fiscal de l Union ainsi que de repenser la r partition des comp tences entre les autorit s europ ennes et nationales en mati re fiscale Cet ouvrage se destine principalement un public universitaire sp cialis en particulier en droit fiscal de l Union europ enne en droit de la concurrence ainsi qu en droit fiscal g n ral mais galement aux juristes et professionnels du droit de l Union et ou du droit fiscal

La lutte contre la concurrence fiscale dommageable dans l'union européenne Maria-Florencia Villafane-Badin, 2008

La concurrence fiscale dommageable et les aides D'État sous forme fiscale Hamdi Kessentini, 2020

Droit fiscal de l'Union européenne Alexandre Maitrot de la Motte, 2022-03-30

l heure o la fiscalit internationale conna t de profonds bouleversements l ach vement du march int rieur et au del du projet europ en n cessite l limination de tous les obstacles fiscaux qui r sultent de l exercice de leurs souverainet s fiscales par les tats membres L action ferme et r solue qui doit alors tre men e par les autorit s europ ennes comme par ces tats s inscrit dans un cadre dont les contours longtemps incertains ont t progressivement pr cis s le droit fiscal de l Union europ enne Le

droit fiscal de l'Union européenne prévoit deux modalités d'intégration des fiscalités nationales l'intégration négative qui suppose l'interdiction des restrictions fiscales la libre circulation des marchandises la prohibition des restrictions fiscales la libre circulation des personnes des services et des capitaux et l'encadrement des aides d'État sous forme fiscale et l'intégration positive qui passe par l'harmonisation des droits fiscaux nationaux l'élimination des doubles impositions et la coopération administrative et politique en matière fiscale

La question de la création d'un impôt européen devra bien entendu être posée. Cette question renouvelée par la nécessité de financer le plan Next Generation EU montre quel point le droit fiscal de l'Union européenne est une matière essentielle passionnante et hautement symbolique. Présentée avec une grande simplicité par l'un de ses meilleurs connaisseurs la construction de l'Europe fiscale reste une question complexe qui témoigne de la forte intégration des droits et des économies nationales mais aussi des importants progrès qui doivent encore être accomplis.

Droit de l'OMC, droit de l'Union européenne et fiscalité directe Marilyne Sadowsky, 2013-03-25

L'Organisation mondiale du commerce a-t-elle un lien avec la fiscalité directe ? Cette question peut sembler surprenante. En effet l'inspiration première de lutte contre le protectionnisme a naturellement doté l'OMC d'une compétence en matière de fiscalité indirecte. Pourtant le nombre de décisions rendues par l'Organe de règlement des différends en matière de fiscalité directe ne cesse de croître. Toutes ces affaires sont relatives soit au principe de non discrimination soit au principe d'interdiction des subventions fiscales. Le constat est exactement le même en droit de l'Union européenne. Dans ce contexte l'ouvrage analyse et compare la consistance de ces deux principes dans le cadre de deux espaces normatifs aux finalités différentes. La comparaison du droit de l'OMC et du droit de l'UE sous l'angle de la fiscalité directe met en évidence l'imbrication de ces deux sources de droit. Cet enchevêtrement conduit tantôt à un rapprochement des règles dictées dans ces deux cadres tantôt à un traitement différencié. Il n'est donc pas tonnant de constater l'influence du droit de l'OMC sur le droit de l'UE ou inversement mais galement la volonté de l'un ou de l'autre de ces systèmes de ne pas subir une telle influence. Par conséquent chaque système ne se suffit pas lui-même en même temps qu'il labore ses règles et rend ses décisions dans le champ de référence qui est le sien. Ainsi le droit de l'OMC prospère dans le cadre du libéralisme économique où la logique sociale est absente tandis que l'UE prospère dans celui d'une logique d'intégration économique la lumière des droits fondamentaux. Dans ce contexte le principe de non discrimination et le principe d'interdiction des subventions fiscales développés dans ces deux espaces coïncident. Ils existent-il un lien entre les deux ? Pour répondre ces questions nous avons confronté ces deux règles et tiré les conséquences de cette dualité de sources sur le droit fiscal français. L'ouvrage intéressera tant les praticiens que les universitaires spécialisés en fiscalité mais aussi en droit international et communautaire.

La fiscalité des entreprises Emmanuel Rubens, 2002

La concurrence fiscale internationale Thierry Madies, 2020-03-12

La globalisation internationale renforce-t-elle la concurrence fiscale ? Les investissements directs étrangers sont-ils sensibles aux cartes internationales de pression fiscale ? En quoi la digitalisation des économies modifie-t-elle les comportements d'optimisation fiscale des grandes entreprises multinationales ? Quel rôle jouent les

paradis fiscaux dans un monde globalisé. On en est on dans la lutte contre la concurrence fiscale dommageable. Cet ouvrage analyse d'un point de vue théorique et empirique la concurrence fiscale laquelle se livrent les pays pour attirer des activités économiques sur leur territoire ainsi que les stratégies d'optimisation fiscale des entreprises multinationales pour réduire leur facture fiscale. Il aborde en outre les effets de la fiscalité sur les ménages car la concurrence fiscale internationale concerne aussi les particuliers les plus fortunés et les plus qualifiés. Elle a de surcroît des effets sur les inégalités au sein des pays industrialisés et porte préjudice aux pays en voie de développement les plus vulnérables.

Les règles communautaires en matière d'aides d'état et la fiscalité Geoffroy Renard, 2005-05-01 Pour les États membres de l'Union européenne la fiscalité est un moyen de stimuler certaines activités ou entreprises par le biais d'exonérations ou encore de crédits d'impôt. Toutefois dans un espace où la concurrence est supposée s'exercer sainement et librement de telles pratiques sont soumises à des conditions contrôlées par la Commission européenne et encadrement communautaire des aides d'État. Ces observations s'intègrent dans une réflexion plus globale sur la répartition des compétences en matière fiscale entre les États membres et la Communauté européenne.

LES FINANCES DE L'ÉTAT AU MAROC Anas Bensalah Zemrani, 2001-01-01 Ce second tome vise à aider l'entreprise à acquitter de son devoir fiscal et cherche à relever un triple challenge : l'instauration de la simplicité, l'efficacité et de l'équité. Son but est d'attirer l'attention sur les imperfections du système marocain d'imposition et d'aider l'entreprise à comprendre les mécanismes fondamentaux du système fiscal qui jouit d'une solide réputation de sérieux.

Un ensemble de mesures pour lutter contre la concurrence fiscale dommageable : Communication de la Commission au Conseil et au Parlement européen European Union. European Commission, 1997

Euro Et L'intégration Européenne Euro Institute, 1999 The contributors to this study examine how the Euro is affecting the unification process of the states that make up the old continent and how it will eventually lead to a peaceful revolution that will change Europe permanently.

L'examen Par Les Pairs Organisation for Economic Co-operation and Development, 2003

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