Ad Hoc Committee - Meeting 16

8 May 2024

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[00:00:10] Good morning, excellences, distinguished delegates, dear colleagues. I call to order this meeting of the Ad Hoc Committee to draft terms of reference for United Nations Framework Convention on International Tax Cooperation.

[00:00:26] Today's committee will resume our consideration of Agenda Item 1. Taking action on a couple of additional organizational matter, consider any other matters under agenda item five and under agenda item six, adopt procedure report on this first session. The organization matter under agenda item one include discussion of the road map to the second session.

[00:00:52] In particular, the timeline for the interstitial work and the adoption of the provisional agenda for the second [00:01:00] session.

[00:01:01] As with the report on the organizational session, the report on the first session is a purely procedural report. The committee would approve the report and entrust the reporter with finalizing it with the assistance of the secretariat. Let us now resume consideration of item one with respect to the other organizational matters.

[00:01:23] Yesterday I shared the tentative timelines prepared by the bureau for the work in between the first and second sessions, following on the outline and modalities adopted by the committee at its organizational session and contained in the report on that session. Number AAC295 slash 2004 slash 2. The same information is on the screen here today in the conference room.

[00:01:51] The first date is the date for the zero draft, which will be in the week, within the week commencing 3rd of June. [00:02:00] This is the circulation of the zero draft, the first draft that will go out.

[00:02:06] Member states and other stakeholders are requested to provide written comments, and this will be for two weeks comment period. With this strict word limit of 2, 000 words per submission, submissions will be posted on the website. The week commencing 17th of June is the deadline for written comments submission from member states and other stakeholders.

[00:02:33] The 15th of July is the circulation of the draft terms of reference to the member states and other stakeholders in advance of the second session. for listening. which will take place in New York from 29th of July to the 16th of August. That is the text that will be the basis for the discussions and negotiations during the second session.

[00:02:56] Please take careful note of the maximum word limit [00:03:00] of 2000 words for each submission submissions that exceed the word limit will be returned. Please. I'm going to repeat this again. Please take careful note of the maximum word limit of 2, 000 words for each submission. Submissions that exceed the word limit will be returned for amendment.

[00:03:22] As before, the call for written input will be included on the committee website.

[00:03:30] Are there any comments or questions on this tentative timeline for the inter sessional work in advance of the committee's second session? The floor is open for representative of member states first, followed by, if time permits, by intergovernmental organizations and other relevant stakeholders. The floor is open.

[00:03:54] The floor to the distinguished delegate of Germany.

[00:03:57] Thank you very much chair and good morning to [00:04:00] you and everybody. And thank you as well for presenting the roadmap to which I can agree. So no concern here. I just want to highlight two things. One is because it's written now week off. That it should really be two full weeks of possibilities to send in written comments.

[00:04:23] So that it's not in the week of the 3rd of June, if that might be a day or two later then we also have a day or two later the deadline that is here written as the 17th of June. So that really to be sure that everybody has the possibility to have two full weeks to comment on, on, on the draft.

[00:04:46] And the other thing is that we have now yeah, the possibility then to have two weeks of comments. And it's before the third of June, it's three weeks of comments. Preparation. And I just want to encourage [00:05:00] the secretariat and the chair then really to in involve the bureau as well and others really to have to use those three weeks wisely so that we have a a really, a good zero.

[00:05:13] So that all the issues can then come up and be discussed and sent in those two weeks for written comments. Thank you.

[00:05:22] Thanks, Germany. And for your first comment yes, it's the week commencing 3rd of June. If it's two, three days later, so all the time we'll keep the space of two weeks. So that means 17th, it's the week commencing 17th, so again it will be pushed two, three days. The deadline will be mentioned in with the TOR, the zero draft TOR that will go out.

[00:05:43] So we will consider that we are keeping this space of two weeks for everyone. And for the second point yes, as usual, and as the peer did before the first session, I think they will be using and doing all the efforts to make things come in a good shape. Thank you, Gemini. And now to the [00:06:00] distinguished delegate of Canada.

[00:06:02] Mr. Chair, and thank you for having set out the timelines for the intersessional work. Our question relates to the program of work. I know later on our agenda today we will adopt a provisional agenda, but it's actually the program of work that is, is critical for planning. For the next session, and we would encourage that a detailed program of work be distributed to member states as early as possible which will allow us to ensure that we have the right individuals available on the particular days, and clarification of how and if the entire three week period will be necessary.

[00:06:44] Thank you, Mr. Chair. Mr. Chair.

[00:06:45] Thanks, Canada. And your note will be taken into consideration, of course. And I think the Bureau will have more visibility for the program of work after receiving the written comments and sure we are going to work on it as a priority to [00:07:00] circulate it with enough time to give everyone the space to plan their trips to New York and who will come for what.

[00:07:07] Thanks, Canada. Now to the distinguished representative of Korea, Mr. Kim.

[00:07:11] Thank you Chair for morning everyone. Thank you chair for providing us with the timeline for the intercession rule walk. Regarding draft for the TOI. We had in-depth discussions about substantive elements such as the subject matters to be addressed in the frame of convention and candidate topic topics for the protocol during the first session.

[00:07:35] Additionally. We discussed the procedural issues, including time frame composition of negotiation body and decision making rules. I hope the draft reflects well what we discussed in the first session in a balanced manner and that it can serve as a good foundation for our discussions in the second session.

[00:07:57] Turning to selection of topics for the Framework [00:08:00] Convention and Protocols. The main goal of this Ad Hoc Committee is to select topics for the Framework Convention and all the protocols. Given the diverse views on candidate topics, it would be very helpful to have a consolidated analysis paper that identifies problems and suggestion of solutions.

[00:08:21] solutions for each topic from the UN, OECD, IMF, and World Bank before the second session. Furthermore, we need to include consensus or at least a super majority rule In the TOR, if we are going to select contentious issues such as a fair allocation of tax rights, either for the framework convention or for the protocols.

[00:08:46] This is because no country wants its tax sovereignty to be undermined by a multinational instruments lacking its consent. As far as a bureau meeting is a concern, we anticipate [00:09:00] that the bureau meeting will make the second. Committee session easier by providing a compromised draft to the best extent possible.

[00:09:11] However, if a compromise not reached on a certain part, it should be left in a square bracket, or it should be provided as a chair's proposal to the committee for member states to discuss during the second session. This ad hoc committee is a member led body. Member states should compromise. Through negotiation in good faith during the second session.

[00:09:35] Thank you. Thanks, Korea. Now to the distinguished delegate of Australia. Thank you, Mr. Chair. I'm just taking the floor briefly in regards to the timeline and roadmap that you've put forward for which thank you very much for your efforts and that of the Bureau in putting that forward. I think generally those timelines look sensible.

[00:09:57] I do think Germany made a good point. So thank you for [00:10:00] considering that. I did just want to take the floor briefly about the word limit of 2000 words. We will, of course, endeavour to remain concise to support the effective and efficient running of this committee. But we hope that the Secretary and the Bureau and the Chair will be able to be flexible on that.

[00:10:16] The draft TORs we expect to be very complex, both on procedural and substantive elements. And of course, as Sovereign States, it's our prerogative to, to submit them. the written comments that we consider necessary and appropriate. So we will absolutely do our best to stick to the guidance of 2000 words, but we do hope there will be flexibility in that regard.

[00:10:35] Thank you. Thanks, Australia and Australia. And just in this point in the organization session in the modalities, it's mentioned that the comments and documents should be in the limit of 2000 words. So just we are getting it from there. Thank you for this. Now to distinguish Delegate of Nigeria.

[00:10:56] Thank you very much, chair and good morning. And I also want to [00:11:00] thank the secretariat and all the team that proposed the the timeline for the next session. And I think this is very workable and I hope we are also able to achieve. Our goals the area chair where I want to make a comment is the three weeks proposed for the second session.

[00:11:22] Given the fact that there are procedural issues and issues around the timing of meetings in the UN. Particularly when we must have interpretation. I still believe that we can be a little bit more efficient in the use of time. I have observed in the last one week that we've been here or there about the average actual working hour is much less than six hours.

[00:11:50] And For countries like mine that have limited resources. The least number of time I spent [00:12:00] in New York the better for my country. And I also believe there are countries that we share similar views here. And I I mean I've been listened to the comment from, canada from Korea on the need to have a good zero draft, which I trust the borough have confidence in the borough and the secretary that we'll have a good zero draft.

[00:12:21] And if that be the case I think we also see what should see how we reduce that three weeks. 15 working days in my view will be a serious luxury that not many countries can afford. Thank you very much. But nonetheless thank you, Chair for this draft and your team. Thank you.

[00:12:38] Thanks, Naivega. And yes it's noted. And actually we were all thinking, and the team was thinking about doing this. But still, until now, we can't confirm. It will be less than three weeks until we see The comments and how the draft will look like and how the direction of negotiation. But we are all, I think, agree that we need to make it less than three weeks [00:13:00] as much as possible.

[00:13:01] And I'm sure we're going to work and make use of time more efficiently and make it shorter next time than three weeks, which is the original plan. Thank you, Najira. Now to the distinguished delegate of Italy. Thank you, Chair. Good morning, everybody. Thank you for this timeline, which seems very efficient.

[00:13:24] I will support what Korea and Nigeria said. I agree on what they said. As for the suggestion from Nigeria to use the time as much as, with an efficient mood as much as possible. And for Korea I like so much the idea of Exploding, expanding all the procedural aspect also in the term of reference.

[00:13:47] I understand that some substantial issues, subjects must be there. But since we are giving the rules for the next committee to function we think it is very important to be [00:14:00] precise in as far as the procedure are concerned. So again, I give my full support to what Korea said. Thank you. Thanks Italy.

[00:14:12] Now to the distinguished delegate of France.

[00:14:14] Clarification or question concerning the proposed deadline for the next work session. It would be important that if ever the session was to be shortened, that we can be warned of it sufficiently in advance for short term terms.

[00:14:29] Thanks, France. Now to distinguished Pakistan. Thank you Chair. On the issue of timeline, we support the timeline as reflected on the screen now and agree that two weeks should be given for comments to be received. And that's why I think we have week off on both to give the flexibility to the Bureau as well.

[00:14:49] We can also be flexible regarding shortening of the next session, but if colleagues feel that they need more time, we're flexible to keep the original time frame proposed as [00:15:00] well. So I guess what we would say is we are ultimately flexible. flexible on this. From our perspective, we've had more than enough time to discuss procedural elements.

[00:15:07] And then don't need more. Definitely. Less would be our suggestion. If decision making is included, we expect to see the simple majority as the one agreed to in the organizational session. That is the only way we will accept seeing decision making included in the two hours. It must be what was agreed to in the organizational session.

[00:15:25] We are not in a position to change that at this stage. We can be flexible, however, to not have this element included for now, and that way we can leave it open for the next committee to deliberate in depth on this matter. But if it must be forced into the TORs, we expect to see what was agreed in the organizational session verbatim.

[00:15:43] We are not supportive of the proposal for an analysis because we have mentioned numerous times before our concerns regarding the issue of conflict of interest and we think at this stage that it is not needed, and it is We can deliberate on the need for an analysis further on when we get to actually [00:16:00] drafting the framework convention at at itself.

[00:16:02] But right now we are very wary of issues of conflicts of interest and would have questions on any analysis placed before us. So we would not support spending time on that. Regarding the inner working of the Bureau we do not presumed to prescribe from here. How the text should come out, whether it should have brackets, whether it should not.

[00:16:19] We leave it in the hands of the chair and the bureau to follow the same procedure they have been following so far. So we do not agree with the overly prescriptive comments made today on how the text should come out. It is up to the chair and the bureau and their internal deliberations.

[00:16:35] Thank you.

[00:16:37] Thanks, Pakistan. Now to the distinguished delegate of Spain. Mr. President. We would like to for the calendar proposed between sessions. We find it efficient, especially considering the comment made by our colleague from Germany. In any case, we support Nigeria's proposal to try to reduce the weeks of the second session.

[00:16:58] And in [00:17:00] any case, we appreciate the proposal of the calendar between sessions and we accept it as it is.

[00:17:08] Thanks, Spain. Now to the distinguished delegate of India.

[00:17:11] Thank you, Chair. And once again thanks to the Secretary for giving this timeline. This makes things more precise and clear to all of us as to what the different stages are going to be. And we believe the timeline which has been given Is adequate enough for internal deliberations and internal approvals.

[00:17:32] Also we do agree with the timelines for submitting the written submissions. I would just like to make a small suggestion that while we would be, the secretariat would be circulating the zero draft. In the week off. I'm in third June. So the suggestion is that if you could also circulate draft schedule, which would be like, for the second session.

[00:17:55] subject wise, a tentative discussion of the various subjects which would [00:18:00] come up because by the third of June we would know how the draft looks like and what are the various topics which are going to be there in the draft. And accordingly, if you could prepare a schedule because this would also help us enable our participation for the various sessions and the issues which may come up.

[00:18:18] And this would also help all of us to, plan our Three week session at New York. And if you know that can also be seen that if that can be reduced or howsoever as the some of the countries are explaining that yes, three weeks is a good enough time for second session.

[00:18:34] So how much justification we are doing to do the time and to the draft which we have. Thank you. Thanks, India. We'll do our best in this. Yes,

[00:18:46] there is no more request for the floor.

[00:18:50] Chair. I would like to reiterate a few things and add something. On the issue of the timeline, I believe that has been said is [00:19:00] in order. On the issue of how long we should stay. Chair, it depends on, really, on us. Because if we continue to repeat the same since one person is in, and everybody wants to reoccur the same thing, automatically we'll spend more time on issues than we should.

[00:19:20] So if we as member states would limit the digressions and other things, distractions that we're bringing. then it will be possible to reduce the timeline for meetings. On the issue of data and decision making, again, as Pakistan mentioned, whatever text we would adopt should relatively be what the UN procedure is.

[00:19:44] I believe that one is important. On data, we have mentioned and there's some clarification that also be given that we should maybe rather be using the academics. We're really waiting on the sidelines to [00:20:00] contribute to these discussions. And I'm sure it will allow them to do the analysis. There will be no issues of conflict of interest.

[00:20:07] There will be no issues of people coming up with other things that really would bring some level of contention. Thank you, Chairman. Thanks, Ghana. Now to the distinguished delegate, Aung Hlaing.

[00:20:22] Thank you, Chair. I would like to align myself with the comment made by the distinguished colleagues of Ghana that analysis is It's also possible through the academics who are waiting on the sideline, but analysis in general remains an important issue. Belgium would like to align itself also with the earlier statements of Korea, Italy, France, and Spain.

[00:20:45] Thank you. Thanks Belgium. Now to distinguish Delegate of Columbia.

[00:20:51] For the following stages of this discussion, we consider it appropriate to ensure that the work of [00:21:00] the Member States and interested parties is constructive, that there is time to deliberate and to be able to bring to the table more constructive ideas to achieve a better result, at a time when it is a determined space, given that we must

[00:21:21] We must continue in the search for support from Member States and relevant interested parties in terms of the contribution of contributions or funding so that countries, delegates from countries, especially from development, can participate in these meetings in a more inclusive way, so that we can, in this way, achieve the objective or one of the objectives of this process.

[00:21:49] Muchas gracias.

[00:21:51] Thanks, Colombian. Now to the distinguished delegate of Tanzania.

[00:21:57] Thanks, Chair, for giving me a chance. On our part, [00:22:00] we support the timelines as displayed on the table, but we request for flexibility with regard to submission of comments by member state. Thank you.

[00:22:13] Mr. Chair. As the Bureau is going to discuss maybe this afternoon on our in the next upcoming weeks on the schedule for August, whether we should do two weeks or three weeks, I think There's a couple things to keep in mind that the resolution itself does say a session of 15 days in August.

[00:22:32] And my other concern hearing some of the intervention, previous intervention is would be limiting the discussions to two week. Are already prejudging the question of whether, More procedural elements should be in the TRR TORs or not. It's a discussion we've had. There's different opinions on it.

[00:22:54] And on that, I just want to point out that we already do have procedural elements. in [00:23:00] the TRR's like the timeline. If we do a definite timeline that's a procedural element and what the Bureau will need to discuss is why would we not have other procedural elements? Included in the TRR. T O R. So thank you Mr.

[00:23:15] Chair.

[00:23:17] Thank you very much for this discussion on the timeline of the work and preparation for the second session. I look forward to a productive period. with active engagement off member states and observer. I invite the committee to now turn to the adoption of the provisional agenda for the second session as contained in document a slash a c 2 9 5 slash 2004 slash L 1.

[00:23:41] The document has been circulated in advance via a delegates. As usual, the provisional agenda for the second session is drafted at high level. It is meant to be comprehensive yet permit flexibility for planning how the committee will make best use of its available meeting [00:24:00] days in July and August to discuss and decide on the draft terms of reference for a United Nations Framework Convention on International Tax Cooperation.

[00:24:09] will be annexed to the report on the second session. The session report will be a purely procedural report. Are there any comments on the provisional agenda for the second session?

[00:24:22] To the Distinguished Delegate of Germany. Thank you, Chair and thank you for giving me the floor. First of all, I'm a bit I'm not quite sure about what stage or what document we are talking about. There's a bit of a confusion about kind of the provisional agenda we are really specifically now speaking about.

[00:24:42] But if I remember, and that's the document I think of, it's a very generic one. And I just want to raise then one concern in my memory that is The mentioning or the order of issues to be discussed [00:25:00] first substantive and then procedure. And I would again, raise my concerns that I think that it is more effective and productive to talk about procedural aspects.

[00:25:18] First. And then have the substantial aspects because it is a bit difficult to talk about substantive issues. If you don't know at all the legal impact, the elements, the procedural aspects, and if there is very much an unclarity of what it really then implies or what impact it has when you're discussing about substantive.

[00:25:47] Issues. So that there would be a suggestion to turn that around or still to leave it open a bit more. Because I think it was a good point to structure the second [00:26:00] session, as mentioned by, by by some of the speakers on the last point. And then we should have a sufficient flexibility to as well.

[00:26:11] Have the correct order or the best order depending on the different issues that we have to discuss or will discuss. And I'm looking forward to discussing them in the second session. Thank you.

[00:26:23] So to Germany point, I think the document had been circulated in the e delegates, so it should, everyone should already have received it. It's some days ago, I think three days ago or something like this, so it was circulated. And again, the provisional agenda is a generic agenda. The order of the items doesn't mean this is a sequence when it comes to the detailed agenda.

[00:26:46] If you're going to have a look at our agenda for this session, you will find that the order was not in the same order like provisional agenda. So we start with item 2B was the first day. While it's the second item, not the first item. Then after that we move [00:27:00] to 2A in the second week. Having the items as a generic items in the provisional agenda, it doesn't judge or mean that it will go with the same sequence when we go to the detailed agenda that will be developed by Sapiro.

[00:27:14] Thanks. Germany, now to the exchange delegate of Austria. Thank you, Chair, and thanks for clarifying that it was circulated, the document. Unfortunately, it was lost somewhere at least on the Austrian side. So could you maybe put it on screen, since you, you have it, and maybe it would be helpful also for other delegates.

[00:27:38] Thank you.

[00:27:40] Just one minute and it'll be present on the screen now to the Distinguished Delegate of France.

[00:27:46] Thanks

[00:27:47] France. Now to the delegate of Nigeria. Thank you very much. And and thanks again for the opportunity to discuss the agenda for the next session. I think one of the requests I was going to [00:28:00] make is already made. And so we are having the the drafts out there, which in my view and.

[00:28:08] My understanding is that the agenda is going to be looking at the issues from from the top strategic broad way while the work plan is going to be more specific as to the issues that will be discussed and when they are going to be discussed. And having that said that. I suppose that the very simple agenda that we have projected in my view is is is workable.

[00:28:40] And but my, my suggestion probably might be to collapse three and four. Into what I will call the I don't know what language we can use, but I see this is actually the main consideration of the draft [00:29:00] TOR and which we, which contains all element, both substantive and procedural.

[00:29:04] And so instead of having this bifurcated, I think we just make a very simple statement that. And we will now go either line by line, clause by clause, whatever page by page, whichever name we adopt because that's what I see as the real work that we are coming to do in the next session. And I think the agenda should just stay that and refrain from bifurcating into substantive and procedural issues.

[00:29:30] Thank you. Thanks. And I'll turn it over to the delegate from Pakistan. Thank you. I would just like to confirm that our delegation received the agenda. It was circulated through the same platform through which all documents are circulated for this committee. So perhaps for those who didn't see it might need to consult their missions.

[00:29:53] But it was received on Saturday for us. This, we support the agenda as it is. And if delegations [00:30:00] want to collapse three and four into the same we could work with that. Although I think this was the provisional agenda is also adopted for the first session. And then we got a detailed breakdown when we went forward.

[00:30:11] So we don't see the need to really reopen such a procedural document. And at this stage we We support it as it is drafted, but if delegations want to reopen we can look at the proposal by Nigeria if required, but we've seen no problem with this agenda. Thank you. Thank you.

[00:30:31] Pakistan. Now to the distinguished delegate of Ghana. Thank you, Chairman. We want to indicate that the agenda as has been put up was circulated, we saw it and we agree that it should be as it is. On some of the other comments as to this, what else we can do to it is actually the organization of work, which will come out at the organizational session that will have, that would confirm [00:31:00] all these things, other things that are being mentioned.

[00:31:03] So we support the agenda as it is, and it's a bit late in the day to really go and do anything to this one. So let's work, look at the scope of work, that organizational work. which will give us the details. So we support this as it stands. Thank you.

[00:31:19] Thanks again. Now to the distinguished delegate of Norway. Thank you, chair. And I just want to Norway wants to come in and echo the comments here from Germany. And as we heard Switzerland also. With regards to the importance of discussing the procedural elements in the two hours. And for us, that is a key issue.

[00:31:44] Of course, Germany said we need to try to nail down the procedural elements in order to know what we're going to discuss. And going forward with the more substantive elements in that regard, we would also have a clear preference in discussing [00:32:00] procedural elements before any substantial elements. Thank you.

[00:32:04] Thanks Nonghwai. Now to the Attendant Delegate of Korea. Thank you Chair for giving me the second floor. I think As far as I know, the first session is a focus on the substance issues and according to my memory, the second session will be focused on the procedural issues. I have some sympathy with the suggestion by the Nigeria.

[00:32:27] Actually the substance matters and also procedure matters should go together because it's each other interdependent. As a conclusion. Nigerian distinguished Nigerian delegate suggested I think that matter should be in the same line without differentiation. That's good approach, but giving the emphasis on the procedural matter in the second session, I would prefer to have procedural and substantial elements that order is better for me.

[00:32:51] Thank you.

[00:32:53] Thanks, Korea. Now to the distinguished delegate of. Germany. [00:33:00] Thank you, Chair. Thank you for giving me the floor again. I just ask again for the floor because when you gave the explanations to me on my questions on this, the question of the order, I was nodding, but I'm not quite sure that everybody sees somebody nodding.

[00:33:16] So I just want to say that I understood this and if it's that clear. like that, that it's really still open. And I also see under second, for example, general statements. And I guess like this session, there was not only general statements once, but and if the understanding is that this is not a fixed order of how the second session goes and we can structure this, but as well but I have voiced that several times, so I won't repeat me this importance of the procedural elements.

[00:33:51] But I can go with this provisional agenda with this understanding you just explained, Mr. Chair. Thank you. [00:34:00] Thank you, Germany. Now to the Spanish Delegate of France.

[00:34:03] Merci, Monsieur le Président. Après avoir pris connaissance de l'um, de l'agenda provisoire que vous avez mis sur l'écran, I would like to align myself with the words of Germany, Switzerland and Norway to also express my wish to see the subject of procedures expressed before the subject of substances because it seems to me that the questions of form should be able to direct and guide our exchanges on the background.

[00:34:32] I

[00:34:33] Thanks, France. Now to the distinguished delegate of Nigeria.

[00:34:36] Chair, thanks for giving me a second chance. One, my comment is not to disagree with what we have. We're just looking at avoiding controversies as to which comes first and which should come second. That's why I propose what I propose and we can actually work with this. And I also think part of the [00:35:00] way for us to maximize the use of our time is for us to concentrate on what matters.

[00:35:06] I am not sure discussing which one comes first in the substance. If a procedure is actually the main issue but actually to come up with a TOR that works well. For the convention drafting committee and how be it I think we we still have to work on the program of work itself which which details how we go step by step.

[00:35:31] So chair in summary we are not objecting to what we have on the board. We're just thinking of whether we can make it better, but if that is not necessary, then it's not necessary. I also want to encourage colleagues that let's focus on the substantive issues. And what I mean is not the one here.

[00:35:48] The real issue of drafting the TOR.

[00:35:51] Thanks, Nigeria. Now to the distinguished delegate of Russian Federation. Mr. Chairman. We support the proposed [00:36:00] agenda for the second session of the Committee. At the same time, we would like to share our expectations from the second session. In our opinion, the work of the Committee on the second session should focus on substantive elements.

[00:36:16] Of course, we are ready to discuss procedural elements, but the focus should be on substantive elements. We have the privilege of having tax experts from the capitals here in New York for two or three weeks, and we should not force them to discuss procedural issues, those issues that we, New York mission experts, We can discuss it ourselves, we do it every day, procedural issues are what we devote our working days to, literally all the time.

[00:36:48] And we believe that procedural elements, in any case, are the prerogatives of the General Assembly, it is the decision of the General Assembly, and it can be discussed. They [00:37:00] can be discussed later in the fall, but substantive elements will be much more difficult for us, the General Assembly, to discuss without the participation of tax experts.

[00:37:11] Therefore, we urge all delegations to focus on discussing the substantive elements. for your attention.

[00:37:18] Thanks. Distinguished Delegate of Netherlands.

[00:37:23] Thank you very much. Chair, just to briefly add our voice to to Germany and underlining the importance of of having the procedure elements first clear before we start on the substantive elements. Actually for the same reasons as as stipulated by Norway. Thanks.

[00:37:37] In this point I think both sides will get the same focus. We allow enough time for both procedural and substantive. So no one will be upset. So we'll give enough time for both of them. And someone to start with one item before the other doesn't mean that this is more important than the other.

[00:37:55] Again, all of them, they have the same importance. The order will not matter [00:38:00] too much. And hopefully we will reach agreement in all of them. Now to the Distinguished Delegate of Israel.

[00:38:08] Thank you, Chair. We support Germany, Switzerland, and the other that said we think the procedural elements should be discussed early in the discussion. We think that if we will agree on the procedural elements, then it will be afterwards much easier to discuss. to discuss the substantial issues because we will have the frame of what we are talking about.

[00:38:34] Thank you.

[00:38:36] Thanks Israel. Now to the distinguished delegate of Pakistan. Thank you chair and I'm sorry to come in again but thank you chair for your clarification that this is not necessarily the order in which things will happen. And we are pleased to see that the Bureau member who had raised the objection has also agreed and hopefully we can adopt the agenda as it is.

[00:38:56] Just to convey our expectations for the next [00:39:00] session we expect to have a draft in front of us in the next section to, to, so to say we will start with procedural or substantive does not make sense to us because we expect that when we start the next session We will have a draft on the screen and we will start debating on that draft in whatever order the draft is.

[00:39:17] So to us, it does not make sense to say that we should discuss procedure first or substance first. We should discuss the TOR. Thank you. Thanks.

[00:39:29] Thanks for your point. And now to the extension delegate office within. Thank you, Cher. Just to a clarification On, on the issues presented we, we think that they are the right one. If that is what you're seeking agreement for we think that's fine with us. On the order, I was, I asked to make my just wanted to make sure if what was said now by Pakistan and maybe by you earlier, but I didn't exactly hear that, that we are not asked for agreement.

[00:39:58] For approval [00:40:00] of the order. That is what I experienced from the committee of experts. How it's done is not to ask for approval of the order is rather to ask that these are the issues that will be put on the provisional, that you'll be put on the provisional agenda as such. Because I also think it's important that we devote enough time to procedural.

[00:40:22] elements. So I asked, but I just want to have just a clarification of what we are agreeing to. Thanks.

[00:40:30] Yes, it's within your point is correct. This doesn't judge how will be the sequences. Just as I mentioned in my word, like it's high level items in the provisional agenda, then it can be broken down to detailed items in the agenda. And again, the order here should not. And I think to close this point, it's very clear examples of what we have in the first session.

[00:40:52] We had a vision agenda with some order of the items and detailed agenda came with a different order according to what the PROC [00:41:00] should start with and what should be the next. And you can see that we started with item 2B, then we moved to 3, then we went back to 2A. Here is the order that was based on the technical view and vision of the bureau, more than the order that we have in the provision agenda.

[00:41:19] Again, it will be the same case here. And the focus will be for everything. The focus will be to the draft UR, to the text. And within the text, we will go through the procedure and we will go through the the draft. And we go through the substantive. So just to make sure that these points are clear for everyone and can understand it. Now moving to the next distinguished delegate from India.

[00:41:46] Thank you, Chair. We support the provisional agenda in the way it is, and we believe, as agreeing with the Chair, that substantive matters and procedural matters, they are interconnected and mutually reinforcing. And it is the interaction [00:42:00] between the both which would be shaping the overall functioning and the outcomes of the whole process.

[00:42:06] We agree with the fact that the effective procedural mechanisms are essential for implementing and enforcing substantive tax policies. However, it is the substantive rules which provide the foundation for designing fair, efficient, and effective procedural processes. So once we have clarity on the substantive matters, procedural issues can be sorted out.

[00:42:29] And as it was mentioned by my delegate from Russia, so that is India's viewpoint. Thank you. Thanks, India. To the distinguished delegate of United Kingdom.

[00:42:43] Thank you so much. And we are happy to see all of the elements reflected there on screen. I note the point made about this not being a suggested order. I think the numbering in this does suggest an [00:43:00] order. And as those of us who are familiar with you and processes will know, it's quite typical that you, for example, adopt the agenda at the start and you adopt the report at the end.

[00:43:08] So there has clearly been in the ordering of this some consideration of when events may take place. If there can be a guarantee, given that the comments delivered today on member states preferences on how we work through these issues in the next session could be taken into account by the Bureau, I think that would be helpful, even if in what I'm hearing what you're saying that you feel we don't need to reorder these to reflect those comments today.

[00:43:34] But I do think that numbering is unhelpful because it does suggest a prioritization or at minimum and order. And to reflect our preference, we would agree with those who have suggested having a discussion first on procedural elements. We would also agree with the comment That discussion may need to remain live as we discuss substantive elements.

[00:43:53] That would be the series of first starting with procedure, then considering how both of those may interact as we go on to talk about [00:44:00] substantive elements. Thank you.

[00:44:02] Thanks. You came now to the distinguished delegate of the United States. Thank you, Mr. Chair. We would first like to say that we appreciate all of your efforts in running the session over the last few weeks. And we recognize that your task is not an easy one. And I'd also like to reiterate again the intention of the United States to participate constructively in this work.

[00:44:25] We would like to emphasize that the terms of reference should include both procedural and substantive matters and that we understand We're very concerned about the believe that based on the chair's comments during this session that the second session would include a greater focus on procedural matters.

[00:44:40] And so therefore, we believe that those should be discussed first. We also we think that Switzerland's analogy from the other day about building the car before going on the trip was a good one and that we need. To know the process before we can move on to the substantive issues at any level of [00:45:00] detail.

[00:45:00] We would also like to reiterate a few of our views that we've made in previous sessions just to ensure these are taken into account as the chair and the bureau move forward with the draft terms of reference. And we understand that the brainstorming that has been done in this committee during this first session will feed into that draft.

[00:45:19] As we have noted before, a crucial procedural matter is the structure and content of any framework convention. If the goal of this committee is to make meaningful and durable changes to international tax cooperation we still believe that the only way to do so is by achieving consensus support.

[00:45:38] We note that the working methods of this committee are not applicable to the decision making process, and for legally binding Convention which must be determined independently. We agree with the comment made earlier by the distinguished delegate of Korea that the aim for the zero draft of the terms of reference should be consensus by the Bureau.[00:46:00]

[00:46:01] Items that cannot be agreed can and should be proposed and debated by member states in the negotiating process. We also would like to reiterate our view that the convention and the protocol should be negotiated sequentially instead of simultaneously. We think this is necessary because the general objectives and principles must be determined in order to negotiate the protocols.

[00:46:25] And finally, we would like to note again that complementarity should be taken into account as referenced in 6D of the resolution that mandated this process. Mr. Chair, thank you again for the opportunity to provide these comments.

[00:46:41] Thanks, United States. I have two points here. I'm going to again, I'm going to repeat what I'm saying. As the comments are being repeated as well. Again the order in the provision agenda doesn't [00:47:00] judge. the order in the detailed agenda. But maybe for further confirmation again, because I think this is like the third time I'm gonna, I'm saying it again.

[00:47:12] Maybe I'm gonna pass the floor to my colleague from from the UN about the procedural part from DG. A C M department that will clarify this for everyone. But before giving the floor we are discussing the provisional agenda. So please let's be focused on the provisional agenda and don't jump to conclusions about the work of the bureau or as a formatting of how that you are would go out.

[00:47:43] I think the bureau will do the best to get it in the best shape that show the difference. and different views whenever it's needed. So I'm going to ask again, everyone, please, let's focus now to close this item in our agenda for today. [00:48:00] And now for Zia, our colleague, just to clarify about.

[00:48:05] Thank you, Mr. Chair, I'm with the Department for General Assembly Conference Management. Just on this question regarding the sequential ordering in the agendas just to confirm, as was mentioned. Earlier by the chair that the sequencing of the agenda items within the provision agenda does not have a bearing on how the body or in this case the ad hoc committee would decide to consider them.

[00:48:30] That would depend on the organization of work, which is separate to this document. For example, turning to the General Assembly plenary, the agenda is contained in document A78251. For the General Assembly plenary items 4, 5, and 6 are, the General Assembly session starts in September.

[00:48:45] Items 4, are taken up in June. Whereas item 61, for example, is taken up in October. So there's no direct bearing between the numbering of the items and their consideration. Their consideration depends on the [00:49:00] organization of work that's decided by the relevant body. Thank you.

[00:49:04] Thanks. Yeah. Now to the distinguished delegate of Mauritius.

[00:49:10] Thank you. Thank you, Chair, for giving me this opportunity to intervene this morning. I'm very happy to have heard this clarification from the secretariat there about the ordering and the sequencing because it was not clear to me, for example, in this numbering. Why other matters would come before adoption of the report.

[00:49:30] Usually A or B and so on comes last in any agenda or minutes of proceedings, of any meeting. Having said that I think it would be And then this is a suggestion that at some point in one of the items, we do have a reference to adoption of the terms of reference in, in one line there.

[00:49:51] Because that doesn't appear and probably making it clear that at some point the terms of reference would stop being called [00:50:00] draft terms, but then. clear final terms of reference, and that should be adopted and that'd be appearing on the provisional agenda. Thank you.

[00:50:13] Before moving to the next, then I get to the point of Mauritius under item six adoption of the report is that you are both as annexed to the procedure report of the committee. So the adoption of the report in second session. It includes in it the adoption. Then the two are in general, they remain draft until they go to the general assembly in which they are approved there.

[00:50:38] But it goes under item six.

[00:50:41] Now to the distinguished delegate of Israel. Chair. I just wanted to add that if the the order of the issues will be sent to us in advance, it will be easier for us to to know which delegate, sorry, which delegate to [00:51:00] send to to the negotiations because It is three weeks that we are talking about, and we want to share the workload.

[00:51:10] So if it will be sent in advance, it will be very nice. Thank you.

[00:51:15] As I mentioned to, as I replied to some of the other delegates, the detailed agenda will go separately. Maybe we will try to do our best to send it as early as possible. Within the second half of June, maximum the first week of July, We are going to do our best as early as possible because we are taking those considerations.

[00:51:35] It's the procedures, but not in the two or the three in the country for it to allow the delegates to, to travel. We understand that we are all coming from the government and we understand how it takes some time too long to get and to to just to see who, which delegate will be assigned to which part of the agenda.

[00:51:54] So it's understandable. And the bureau will be doing the best to get this as early as possible. [00:52:00] Now to the distinguished delegate of Senegal. Merci,

[00:52:05] Monsieur le Président. Nous soutenons le projet d'agenda provisoire qui, à notre avis, nous semble être exhaustif, car alignant à la fois les éléments de substance, mais aussi les éléments de procédure,

[00:52:25] The substance.

[00:52:27] Important,

[00:52:29] sir. And location. The location the location of the procedure.

[00:52:36] Thank you Chairman for giving me the floor again and. Part of my question has been answered by the secretary to the confusion that I was having has been clarified, so it makes it possible to for us to adopt the agenda as it is and use the organization of work to determine what we need, considering the fact that our job is to review the terms of reference as the draft as will be presented, [00:53:00] and I assume that it will be in an orderly fashion, depending on the contents.

[00:53:06] And so these things can end an observation in line with what I said earlier that we spent quite a while discussing a normal procedural matter which chair had already assured us, given us assurances on. And so if you are talking about efficient use of time, then we've given ourselves an example of the things we are, we need to avoid if We expect to spend less than three weeks over here next time.

[00:53:39] Thank you.

[00:53:40] Thanks, Yana.

[00:53:42] Given what had been said that actually the order in the provision agenda had no relation with the order that will go in the detailed agenda, but again, to give the floor a little bit of more comfort and relax about how the provision agenda [00:54:00] I will put a proposal now, and if no objection, we can change and amend the agenda for it.

[00:54:06] Almost the second session will go for discussion of the 2R by itself. So we can merge 3 and 4 to be one item, which is discussion of the draft terms of reference. Then after that, the Bureau can just put the order as they wish. So 3 and 4 again. Will be deleted and will be replaced with one item, which is discussions of the draft terms of reference.

[00:54:37] To the things you didn't get off Australia. Thank you very much, Mr. Chair. And thank you. I'd refrained from taking the floor until now because your explanations and those of the Secretariat have been very helpful. We can support the provisional agenda as it is on the screen in front of us right now.

[00:54:55] As you've very helpfully explained, it already covers The [00:55:00] elements we need in a provisional agenda, it is consistent with the elements we've been discussing to date. It's consistent with decisions and considerations of this committee and the bureau to date. And as you said, it is not prescriptive in terms of the order.

[00:55:16] or the amount of time allocated to each agenda item when it comes to the organization of work. And certainly that's common as DGACM kindly confirmed for us, it is very common that a pro, program of work would not necessarily follow the exact order of the provisional agenda. And indeed, I quite like the suggestion from the UK that there may be a way to revisit agenda items throughout the organization of work.

[00:55:41] It's not necessarily a one and done thing. So in that sense, we fully support the provisional agenda that you've put forward. I would be cautious about seeking at this late stage to merge those two items. We've heard a lot of different views about the very big importance of both substantive and procedural [00:56:00] elements.

[00:56:00] Although they are absolutely interrelated, they do raise quite distinct questions, both of which require careful deliberation. So our preference would be to stick with the provisional agenda that you circulated and have proposed for us this morning on the screen. Thank you.

[00:56:15] Thanks, Australia. Now to the Delegate of Germany. Thank you, Chair. And I can be very short because Australia just said everything I would have said as well. So I think as well, we should just stick to what was suggested earlier or what is here on the plane. And really mentioned just both things.

[00:56:36] And I think your explanations have been very helpful, very clear. And I think we should just stick with the agenda as suggested. Thank you. Thanks, Germany. Now to that, Senator, get off Switzerland. Thank you, Mr Chair. I would also like to echo everything that our distinguished colleague from [00:57:00] Australia just said.

[00:57:01] Thanks, President. Now to the Assange delegate of Italy. Thank you, Chair. Just to support again what this distinguished delegate from Australia, Germany and Switzerland said. Thank you.

[00:57:14] Thanks. Thanks. Italy. Now to the senior director of Pakistan. Thank you, Chair. Just allow us to put on record. We were flexible with your latest proposal. If it helped resolve the fight over what is more important substance or procedure, we thought it was an elegant solution. But as we said earlier as well, we are flexible with the agenda as was circulated before.

[00:57:36] And if those who had objections have not dropped them and support it, we are ready to go along with it. But to reiterate our expectation that the second session will be dedicated to discussing the TORs. So it will be by essence both procedure and substance because we'll be working on an actual text and we don't expect general, too many general discussions in the next session.

[00:57:56] But as our colleague from Ghana said, more efficiency and [00:58:00] actually discussing the TORs themselves. Thank you.

[00:58:03] Thanks, Pakistan. Now to the distinguished delegate of Kenya.

[00:58:06] Thank you, Chair. We support the agenda as it has been presented and appreciate the Secretariat for the presentation that they have given in terms of the sequencing of the items. If I may there's a comment that had been made about consensus within the Bureau, and I, maybe I misunderstood, but I would just I think that it's important to say that during the organizational session it was made clear that as a subsidiary body of the General Assembly the rules of procedure of the assembly apply.

[00:58:34] And I believe that would apply to the Bureau as well. Thank you, Chair. Okay.

[00:58:40] Thank you Kenya. Just a very quick note, by the way this agenda was agreed in the bureau by consensus, which is now under discussion. So it was in the bureau by consensus, but anyway, I'm not replying to your point, just mentioning this at but still, as you see in, in the floor, in the food room, [00:59:00] still everything is open for discussion.

[00:59:02] Now to the distinguished delegate of Korea. Thank you, Chair, for your clarification also the UN legal expert clarification. Because of your clarification, everything that I had concerned was addressed. I am supportive of the agenda as it is. Thank you.

[00:59:20] Thanks, Korea. Now to distinguish the get off Jamaica. Thank you. Thank you, Chair. We can live with your proposal as well as the agenda. As is we just want to know if there's anything else on the agenda for today other than discussing the provisional agenda chair.

[00:59:39] Jamaica.

[00:59:41] So I should now consider that there is no objection for the current agenda presented on the screen.

[00:59:48] This may I just take it that the committee wish to adopt the provisional agenda for the second session as presented on the screen.

[00:59:57] I hear no objection. It is so [01:00:00] decided.

[01:00:01] The committee now will we'll turn to item five of the agenda and I will open the floor for any other matters. Again, the delegations are kindly requested to limit their statements for four minutes when speaking on behalf of a group and three minutes for national statements. I invite delegations wishing to intervene for to press support on their microphone console.

[01:00:22] Delegations speaking on behalf of the group should approach the secretariat in the room with this information. Again, now the floor is opened.

[01:00:31] The committee has just concluded its consideration of item five of the agenda. I invite the committee to now turn to the last item of the agenda, adoption of the report on the first session.

[01:00:48] I now give the floor to Ms. Claudia Virks of Columbia. Reporter of the committee to present the draft report on the first session as contained in Document A AC295 [01:01:00] 2004 L2. The floor is yours.

[01:01:06] Thank you, Mr. Chair.

[01:01:08] Excellencies, Distinguished Delegates, Dear Colleagues, Please allow me to present to you the draft of the report on the first session of the ADAC Committee to draft terms of reference for our United Nations Framework Convention on International Tax Cooperation contained in Document A, slash, AC, 295 slash 2024 slash L two.

[01:01:35] As mentioned before, this draft report was shared with all delegations via e delegated Monday. As you will have noticed, the draft report covers procedural matters only and it is consistent with the agenda items of our session. It contains only a few additional reporting items that are necessary to accurately document the session.

[01:01:59] The draft [01:02:00] report will be finalized with the support of the Secretariat after it receives the approval of the Committee. The final report will not contain verbatim statements or summaries of statements. It will only mention that statements by delegations were made. With these opening remarks introducing the draft report to the Committee, let me read out.

[01:02:27] The headlines of the sections that the report will contain.

[01:02:31] Report on the first session of the ADA Committee to drop terms of reference for a United Nations Framework Convention on International Tax Cooperation. Rapporteur, Ms. Claudia Vargas, Colombia. One, organization of the session. A, opening and duration of the session. Thank you. B, attendance. C, agenda and organization [01:03:00] of work.

[01:03:02] D, accreditation of observers. E, documentation. F, adoption of provisional agenda for the second session. Second, structural elements of a framework convention. Substantive scoping. Sub item A, sub item B. Third, consideration of simultaneously developing early protocols. Four, general statements. Five, other matters.

[01:03:39] Six, adoption of the report on the first session. Thank you very much. I will thus hand over to the Chair again.

[01:03:50] I thank the reporter for her statement. Does any delegation wish to take the floor in connection with the draft report as presented?

[01:03:59] To [01:04:00] the distinguished delegate of Canada.

[01:04:02] Thank you, Mr. Chair, for the opportunity to deliver these remarks on behalf of Australia, New Zealand, and my own country, Canada. First, we'd like to thank you, Mr. Chair, and the members of the Bureau for facilitating the discussion these past 10 days. We can support the adoption of the report and wish to take this opportunity to reflect on the path ahead as we get ready for the second session of this ad hoc committee.

[01:04:30] Our three countries are engaging in this process in good faith and in a constructive manner with the hope that a consensus will emerge on the gaps that may exist in this space and how to make international tax cooperation more inclusive and effective. Thank you. As we all know, the task of this ad hoc committee is to draft the terms of reference that will be guiding the negotiation of the Framework Convention.

[01:04:57] These terms of reference will set broad [01:05:00] directions for the structure and contents of the Convention in a manner that does not prejudge the outcomes of the negotiations. As we noted in our opening statement, for our countries, these terms of reference are also about the process. Substance and process go hand in hand, as the process is critical to successfully achieve the substantive outcomes that we all aim for.

[01:05:26] We believe it is entirely appropriate for the terms of reference to state the procedural elements of this ad hoc committee. That this ad hoc committee recommends so that the General Assembly can decide on this question when establishing the future negotiating body. Not only timelines and resources need to be addressed, but also recommendations for the formulation of the mandate of the negotiating body, bureau and secretariat of the negotiating body, [01:06:00] logistical matters such as number, duration, Frequency of negotiation session and options for virtual participation.

[01:06:10] Inclusive engagement with stakeholders, including to provide supporting research and analysis, but also input on how the work of this negotiating body can complement work by other international and regional tax organizations. Finally, also key elements on the rules of procedure recommended to govern the negotiations.

[01:06:34] On this last point, we all have to be mindful that states will not adhere to a convention unless they believe that it reflects a reasonable balancing of interests. Our goal here is to ensure that there will be genuine negotiations over the issues that are to be addressed by the Framework Convention.

[01:06:57] Reaching consensus, reaching [01:07:00] compromise among competing interests is challenging and can indeed take time. Nevertheless, it is essential if the objective is to develop a convention that is broadly implemented. As noted earlier in the session, we support consensus, but are willing to consider resorting to adoption by supermajority once the chair of the negotiating body on recommendation of the Bureau concludes that all efforts to reach consensus have been exhausted.

[01:07:32] Contrary to how it was portrayed, this is consistent with the UN's treaty making practice and the rules of procedure. We believe that this is critical to ensure the inclusivity and effectiveness of the negotiation process and its outcomes. Our expectation is that the program of work for the next session will provide for these procedural matters to be carefully [01:08:00] discussed,

[01:08:00] will be allocated to these discussions. Procedural questions are of equal importance in guiding the negotiation of the Convention as substantive questions, and this should be reflected in the program of work. On this point, as mentioned earlier, we look forward to receiving the program of work for our next session and would request that it be circulated as soon as possible and that we be given the opportunity to provide comments prior to the next session.

[01:08:29] We would suggest that the proposed program of work provide details on the objectives for each session. This will make it easier for all delegations to prepare so that every delegation can actively and constructively participate in the discussions. Similarly, we request that all documents for discussion be circulated to all delegations on a timely basis.

[01:08:55] Our work at the next session will be centered around the draft text, so it will be [01:09:00] key to have timely access to documents to effectively participate in the meeting. Finally, consideration should be given as to how we can ensure that the drafting process is carried out in an effective manner at the next session.

[01:09:14] We understand that various approaches are used at the U. N. To organize the drafting work. We encourage the chair and Bureau to explore all options and to identify approaches that could be appropriate to our upcoming work. Our countries look forward to engaging in a constructive manner in a drafting process to be inclusive of all points of view and supported as appropriate by the Secretariat.

[01:09:41] And with the goal to reach an agreement by consensus on balanced terms of reference. Thank you, Mr. Chair. Thanks, Canada.

[01:09:52] As I see no further requests for the floor may I take it that come, oh, okay, coming in just a minute. Okay, now to [01:10:00] the distinguished delegate of Nigeria, the floor is yours. Chair my apologies Chair and colleagues I speak for the Federal Republic of Nigeria. and also on behalf of the 54 member strong African group.

[01:10:14] Share in the course of the one and a half weeks or thereabouts that we have had the first session, one common phrase that has emerged from many delegates is the fact that their countries participating in this process in good faith.

[01:10:37] I can on behalf of the African group also indicate that all the member countries in Africa are participating in this process in good faith. How be it's chair.

[01:10:53] It is important that we demonstrate good faith indeed and not just by [01:11:00] our words. Yes. I have zubbed. That's a number of times we seem to concentrate on repeating ourselves over and over again. Even when the evidence before the meeting, the session, suggests otherwise. And therefore in order for us to achieve the purpose for which this process was established, We encourage that all members that we indeed demonstrate good faith in our contributions, in our suggestions, including our oppositions.

[01:11:49] Number two chair, it is important that for us to achieve a fair, inclusive, and [01:12:00] equitable global tax system. We must focus. on the terms of the mandate as given in Resolution 78 240 230. And we know that if we are able to achieve that, all of us will be winners. There will be no loser. All of us and our world will be the winner for it.

[01:12:34] And therefore it is important to that we, instead of chasing the shadows, let's concentrate all our effort and resources on developing a global tax system that works for all. In this process, there's no individual jurisdiction [01:13:00] that can have it all. We all must operate independently. together by giving and by receiving.

[01:13:10] And it is only by this, Chair, that we can build that our dream global tax system. And so as we have this break to prepare for the next session, I encourage all of us to ruminate about this, to think about this, so that when we come to look at it draft COR. We are able to do this and we can all beat our chance that we have achieved something good for our world.

[01:13:41] Thank you very much.

[01:13:42] Thanks Nigeria. As I see no further requests for the floor. Okay. May I take it that the committee was to approve the draft report on the first session as contained in document a slash AC two nine five slash two thousand [01:14:00] four slash L two. and entrust the reporter with its finalization with the support of the secretariat.

[01:14:07] I hear no objection. It is so decided.

[01:14:09] The committee has concluded its consideration of all matters before it for this session. Before we conclude the session, I would like to invite Mr. Navid Hanif. Welcome. Assistant Secretary General for Economic Development, United Nations Department of Economic and Social Affairs, to share closing remarks.

[01:14:31] Mr. Chairman.

[01:14:32] Mr. Chairman, members of the Bureau, distinguished members of the committee, representative of civil society and the private sector, distinguished delegates. I have the honor to deliver these remarks on behalf of Under Secretary General, Mr. Lee Jin hwa, who could not join you at this closing session, of the Ad Hoc [01:15:00] Committee to draft terms of reference for the United Nations Framework Convention on International Tax Cooperation.

[01:15:07] Let me begin by congratulating the Chair for his astute leadership. and skillfully steering work of the committee at this session. Congratulations, Mr. Chairman, and to the members of the Bureau for creating a spirit of cooperation and collaboration in the work of the Ad Hoc Committee.

[01:15:29] The establishment of the Ad Hoc Committee by the General Assembly was a historic step in promoting inclusive and effective international tax cooperation at the United Nations. It is also a key step in achieving the Addis Ababa action agenda on financing for development and ultimately the 2030 agenda for sustainable development.

[01:15:57] Effectiveness in [01:16:00] mobilizing domestic resources is not an abstract pursuit. It has far reaching implications.

[01:16:11] and future of billions of people depend on governments being able to finance basic infrastructure, education, health and other services for their citizens and to tackle the challenges of climate change. Hence, international tax cooperation is critical

[01:16:36] in enabling countries to mobilize domestic resources at the level they need to finance the 2030 agenda. Ladies and gentlemen, the first committee's the first session of this committee has carried out substantive scoping of the draft terms of reference. This exercise has provided an opportunity [01:17:00] for member states and stakeholders to share their views and proposals towards building a common.

[01:17:10] This is for the committee's work, a shared understanding of the scope of work on developing draft terms of reference by August this year. You have delved into a variety of substantive and procedural issues relevant to developing draft terms of reference for the UN Framework Convention.

[01:17:34] The session has illustrated how the Framework Convention Protocol approach responds to the range of views on the substantive tax issues that member states currently face and new issues that will arise in the future. It allows incremental progress as agreements are [01:18:00] forged while learning continues on the effects of evolving business models and technology.

[01:18:08] The discussions reflected A search for balance between providing sufficient indications of what the framework protocol approach can do to support achievement of the SDGs without slowing down the development of the draft TORs and next steps, including development of the framework itself.

[01:18:33] And we have also heard why inclusiveness matters. In very practical terms, inclusiveness is essential for effectiveness of international tax norms. It benefits governments, big and small business and civil society. Inclusiveness working through the United Nations promotes legitimacy [01:19:00] and stability in the international tax system.

[01:19:05] Ladies and gentlemen, overall, This first session has reaffirmed the importance and urgency of making international cooperation fully inclusive and more effective as stipulated by the UN General Assembly. I would like to express my deep appreciation to the chair again and to the members of the Bureau and all delegations for your hard work.

[01:19:30] Over the course of this first session, you have made meaningful progress. and laid the foundation for substantive work in the coming weeks and months. My sincere appreciation to the observers of intergovernmental organizations and representatives of civil society organizations, academic institutions, and private sector for their contributions to the [01:20:00] discussions.

[01:20:01] I also want to take the opportunity to thank our conference servicing department, The interpreters who have been handling technical capillary very skillfully

[01:20:12] and other sports staff, including the security personnel. My special thanks to the desk of financing for sustainable development office led by Sherry Spiegel and it's tax team. And I want to assure you that there's a we're committed to providing Substantive support to the work of the committee and whatever way we can facilitate your work.

[01:20:39] I wish the ad hoc committee every success in the work ahead to deliver on your important mandate. And I must emphasize, you are making history. And we are proud to be part of this exercise. Thank you, Mr. Chairman.

[01:20:57] I thank Assistant Secretary Hanif [01:21:00] for his remarks. Thank you very much.

[01:21:03] Now as we are approaching the close of our session, I may invite everyone to put their headphones, because for the first time I'm going to give my closing remarks, but in Arabic. So I'm inviting everyone just to have, of course, except the Arabic speaking countries. First, I would like to start the speech.

[01:21:28] We want to make this work a historic moment in this field. It will be remembered by many generations and for many years to come. I all and I for the understanding and cooperation and gentleness that you have shown during these sessions. and I look forward to more of this work and softness. [01:22:00] Now,

[01:22:04] I thank all the participants and I declare closed the first session of the Ad Hoc Committee to draft terms of reference for a United Nations Framework Convention on International Tax Cooperation. Thank you all.