



**STATEMENT OF OUTCOMES**

**GLOBAL FORUM MEETING**

**BERMUDA, 31 MAY – 1 JUNE 2011**

## STATEMENT OF OUTCOMES

1. On 31 May and 1 June 2011, 227 delegates from 85 members and 9 international organisations and regional groups came together at the third meeting of the Global Forum on Transparency and Exchange of Information for Tax Purposes (Global Forum) hosted by Bermuda (Annex 1 provides a list of participants at the meeting). They welcomed the remarkable progress since 2009 in implementing the standards on transparency and exchange of information for tax purposes through in-depth monitoring and peer reviews and speeding up the process of negotiating agreements. The Global Forum also began the process of extending its mandate beyond the initial three-year mandate.

2. Global Forum members remain strongly committed to implementing the internationally agreed standard. The adoption and publication of an additional nine peer review reports at the Bermuda meeting brought the number of reports adopted to 34. Many jurisdictions that have already been reviewed have taken action to address recommendations in their reports to address identified deficiencies. Progress is being closely monitored and there is regular reporting on the outcomes.

3. In response to the G20 request, the Global Forum discussed a draft report highlighting the relationship between the work on non-cooperative jurisdictions and development. Global Forum members recognised the positive impact and importance of the Global Forum's work on developing countries.

4. The Global Forum affirmed the importance of providing technical assistance related to transparency and exchange of information to developing countries and small jurisdictions so that they can benefit from the new transparent tax environment. The Global Forum also took note of the progress achieved on the multilateral negotiation of bilateral agreements and acknowledged the updated Multilateral Convention on Mutual Administrative Assistance in Tax Matters as a useful instrument to promote effective tax co-operation.

### **I. Main outcomes**

#### *New members*

5. The Global Forum welcomed four new members – Columbia, Georgia, Ghana and Nigeria. With its 101 jurisdictions, the Global Forum now comprises more than half of the world, with increasing interest from developing and emerging economies in its work. The rapid expansion of membership of the Global Forum, especially among developing countries, reaffirms the relevance of the Global Forum's work to developing countries and the potential benefits developing countries can derive from its work.

#### *Progress in implementing the international standard*

##### *Peer reviews and follow-up*

6. The Global Forum adopted and published an additional nine peer review reports (*i.e.* the combined reviews of France, Isle of Man, Italy, New Zealand and the United States, and the Phase 1 reviews of Hungary, the Philippines, Singapore and Switzerland), bringing the total number of published reports to 34 (see Annex 2 for complete list of the jurisdictions whose reports have been published to date).

The work on peer review reports is progressing on schedule and the Global Forum is on track to adopt and publish 60 reports by the November G20 Summit.

7. In parallel with the progress on new review reports, several jurisdictions (Aruba, Belgium, Cayman Islands, Ghana, Germany, Guernsey, Ireland, Mauritius, Monaco, Panama, Qatar, San Marino and the Seychelles) reported on their progress in addressing the shortcomings identified in their peer review reports. Some jurisdictions (Barbados, Belgium, Cayman Islands, Qatar and San Marino) have formally requested follow-up reports to reflect the changes in their legal frameworks. This is concrete evidence of the impact that the Global Forum is having in terms of levelling the playing field internationally.

#### ***Enhancing co-operation among tax authorities***

8. Several members have expressed the view that competent authorities should enhance their co-operation through the Global Forum and it was agreed to explore avenues to offer a platform for interested competent authorities to exchange on best practices and enhance their relationship. The Secretariat will prepare a proposal with a view to organising a meeting of competent authorities in 2012, and will consider whether this meeting should form part of the 2012 Global Forum.

#### ***Reporting to the G20***

9. The Global Forum initiated a discussion on reporting to the G20 summarising the Global Forum's progress on its core activities relating to peer reviews and implementation of the internationally agreed standard. In particular, the report should highlight the good progress made in terms of the peer reviews, identify common issues that have been uncovered during the peer review process, and note the readiness of reviewed jurisdictions to take concrete steps to address the identified shortcomings in their regimes that impede transparency and effective exchange of information. The Global Forum decided to continue work on this draft report so that it includes the outcomes of the upcoming peer review reports and further reflection on increasing the effectiveness of international exchange of information in tax matters. The report to the G20 will be considered for adoption at the next meeting of the Global Forum.

10. The Global Forum took note of the G20 Leaders' call in Seoul for it to enhance its work to counter the erosion of developing countries' tax bases and to prepare a report highlighting the relationship between the work on non-cooperative jurisdictions and development. This is in the context of domestic resource mobilisation under action 2 of Pillar 8 of the G-20 Multi-Year Action Plan on Development.<sup>1</sup> Delegates recognised the important impact of the Global Forum's work on development and approved the outline of the draft report that will be submitted to the G20.

#### ***Technical assistance***

11. The Global Forum reaffirmed the importance of providing technical assistance related to transparency and exchange of information to developing countries and small jurisdictions as a means of ensuring that these jurisdictions benefit from the new transparent environment and also ensuring the implementation of the international standard on a global basis. A report was made on the results of regional seminars held in the Caribbean (with 21 participant jurisdictions) and the Asia/Pacific (with 17 participant jurisdictions), in conjunction with other International Organisations and regional groups (including the World Bank and CARICOM), with good responses from the recipients of such training. The

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1. Action 2 of Pillar 8 of the Seoul Communiqué's annex tasks "the Global Forum to enhance its work to counter the erosion of developing countries' tax bases and, in particular, to highlight in its report the relationship between the work on non-cooperative jurisdiction[s] and development (Medium-term). The results will be reported at the Summit in France. (November 2011)".

Global Forum members were also informed that another related event is planned in South Africa this June for African countries, in conjunction with the World Bank and ATAF.

12. The Global Forum recognised that the issue of technical assistance and co-operation will become more prominent as membership of developing countries increases and the Phase 2 reviews commence. In this context, it agreed to mandate the Steering Group to establish guidelines on the best way to conduct technical assistance, including pilot projects, in conjunction with relevant international organisations; and to continue its programme of regional training seminars, in conjunction with other international organisations and regional groups.

### ***Multilateral approaches to information exchange***

13. Some Global Forum members reported on their experience with multilateral negotiation of bilateral agreements and on the regional multilateral agreements in place in the African and Latin American regions. It was decided to strengthen this initiative so that interested Global Forum members could benefit from it. The Global Forum noted the usefulness of the multilateral instruments, for example the Convention for Mutual Assistance and Technical Cooperation among Central American Tax and Customs Administrations and the Multilateral Convention on Mutual Administrative Assistance in Tax Matters. Argentina, Brazil, Colombia, Costa Rica and South Africa indicated their interest in joining this Convention before the next G20 Summit in France in November 2011.

### ***Budget***

14. The Global Forum approved its 2010 Financial Report and adopted an amendment to its 2011 Budget in order to increase the budget without raising the contributions of existing members. A number of member jurisdictions also agreed to provide voluntary contributions for 2011 (*i.e.* Bermuda, Cayman Islands, France, India, Japan, Jersey, the Netherlands and Singapore).

## **II. Next steps**

15. Following an initial discussion on extending its mandate beyond the initial three-year term, it agreed that it would decide on an extension in due time. Following a discussion of the factors that should be considered in clarifying the governance structure of the Global Forum it was decided to have the Steering Group prepare a proposal for putting in place a rotating mechanism to ensure the governance of the Global Forum is both stable and representative.

16. The Global Forum will continue its work on the peer reviews and follow-up reports as scheduled. It will also develop guidelines on co-ordinating and delivering technical assistance on transparency and exchange of information issues where such assistance is requested and appropriate.

17. The draft reports on the Global Forum's core activities, as well as its response to the G20 Leaders' call to enhance its work on development will be submitted to the G20 Finance Ministers and leaders for the November 2011 meetings.

18. The Global Forum decided to meet in October 2011 in France, and thanked the Bermudian government for its gracious hospitality.

**ANNEX 1 – LIST OF PARTICIPANTS AT GLOBAL FORUM MEETING  
BERMUDA  
31 MAY – 1 JUNE 2011**

Andorra; Anguilla; Antigua and Barbuda; Argentina, Australia; Austria; The Bahamas; Barbados; Belgium; Bermuda; Botswana; Brazil; British Virgin Islands; Brunei Darussalam; Canada; Cayman Islands; Chile; Colombia; Cook Islands; Costa Rica; Curçao; Czech Republic; Denmark; Finland; France; Georgia; Germany; Ghana; Gibraltar; Guatemala; Guernsey; Hong Kong, China; India; Indonesia; Ireland; Isle of Man; Israel; Italy; Jamaica; Japan; Jersey; Kenya; Republic of Korea; Liberia; Liechtenstein; Luxembourg; Macao, China; Malaysia; Malta; Republic of the Marshall Islands; Mexico; Monaco; Montserrat; the Netherlands; New Zealand; Nigeria; Norway; Panama; the People's Republic of China; the Philippines; Poland; Portugal; Qatar; Russian Federation; Saint Kitts and Nevis; Saint Lucia; Saint Vincent and the Grenadines; Samoa; San Marino; Sint Maarten; the Seychelles; Singapore; Slovak Republic; Slovenia; South Africa; Spain; Sweden; Switzerland; Turkey; Turks and Caicos; United Arab Emirates; United Kingdom; United States; Uruguay.

African Taxation Administration Forum (ATAF); Caribbean Community Secretariat (CARICOM); Commonwealth Secretariat; European Bank for Reconstruction and Development (EBRD); European Investment Bank (EIB); European Union; Inter-American Center of Tax Administrations (CIAT); International Monetary Fund (IMF) (together with Caribbean Regional Technical Assistance Centre (CARTAC); Organisation for Economic Co-operation and Development (OECD); United Nations (UN); World Bank.

**ANNEX 2 – LIST OF JURISDICTIONS WHOSE PEER REVIEW REPORTS HAVE BEEN ADOPTED AND PUBLISHED**

	<b>Jurisdiction</b>	<b>Peer Review</b>	<b>Publication</b>
<b>1</b>	Aruba	Phase 1	14 April 2011
<b>2</b>	Australia	Combined	28 January 2011
<b>3</b>	The Bahamas	Phase 1	14 April 2011
<b>4</b>	Barbados	Phase 1	28 January 2011
<b>5</b>	Belgium	Phase 1	14 April 2011
<b>6</b>	Bermuda	Phase 1	30 September 2010
<b>7</b>	Botswana	Phase 1	30 September 2010
<b>8</b>	Canada	Combined	14 April 2011
<b>9</b>	Cayman Islands	Phase 1	30 September 2010
<b>10</b>	Denmark	Combined	28 January 2011
<b>11</b>	Estonia	Phase 1	14 April 2011
<b>12</b>	France	Combined	1 June 2011
<b>13</b>	Ghana	Phase 1	14 April 2011
<b>14</b>	Germany	Combined	14 April 2011
<b>15</b>	Guernsey	Phase 1	28 January 2011
<b>16</b>	Hungary	Phase 1	1 June 2011
<b>17</b>	India	Phase 1	30 September 2010
<b>18</b>	Ireland	Combined	28 January 2011
<b>19</b>	Isle of Man	Combined	1 June 2011
<b>20</b>	Italy	Combined	1 June 2011
<b>21</b>	Jamaica	Phase 1	30 September 2010
<b>22</b>	Mauritius	Combined	28 January 2011
<b>23</b>	Monaco	Phase 1	30 September 2010
<b>24</b>	New Zealand	Combined	1 June 2011
<b>25</b>	Norway	Combined	28 January 2011
<b>26</b>	Panama	Phase 1	30 September 2010
<b>27</b>	The Philippines	Phase 1	1 June 2011
<b>28</b>	Qatar	Phase 1	30 September 2010
<b>29</b>	San Marino	Phase 1	28 January 2011
<b>30</b>	The Seychelles	Phase 1	28 January 2011
<b>31</b>	Singapore	Phase 1	1 June 2011
<b>32</b>	Switzerland	Phase 1	1 June 2011
<b>33</b>	Trinidad and Tobago	Phase 1	28 January 2011
<b>34</b>	The United States	Combined	1 June 2011