



UNIVERSITÀ
DEGLI STUDI
FIRENZE

I pay, therefore I am (European Citizen)

Kick-off meeting

Amsterdam, 12 March 2018

UNIFI team





WORKPLAN:

STARTING DATE: 1 Jan. 2018

END OF THE PROJECT: 31 Dec. 2019

4 WORKPACKAGES

TRULY INTERDISCIPLINARY RESEARCH

FISCAL LAW

EU LAW

PUBLIC COMPARATIVE LAW

POLITICS





OBJECTIVES

The research aims to investigate:

- **the legal, philosophical and historical foundation, of a EU "own" tax;**
- **its potential characteristics (with a focus on its attribution to a supranational body such as the EU);**
- **how such the EU tax might uphold a proper European welfare;**
- **whether the EU tax and welfare may contribute to strengthen the idea of European citizenship.**





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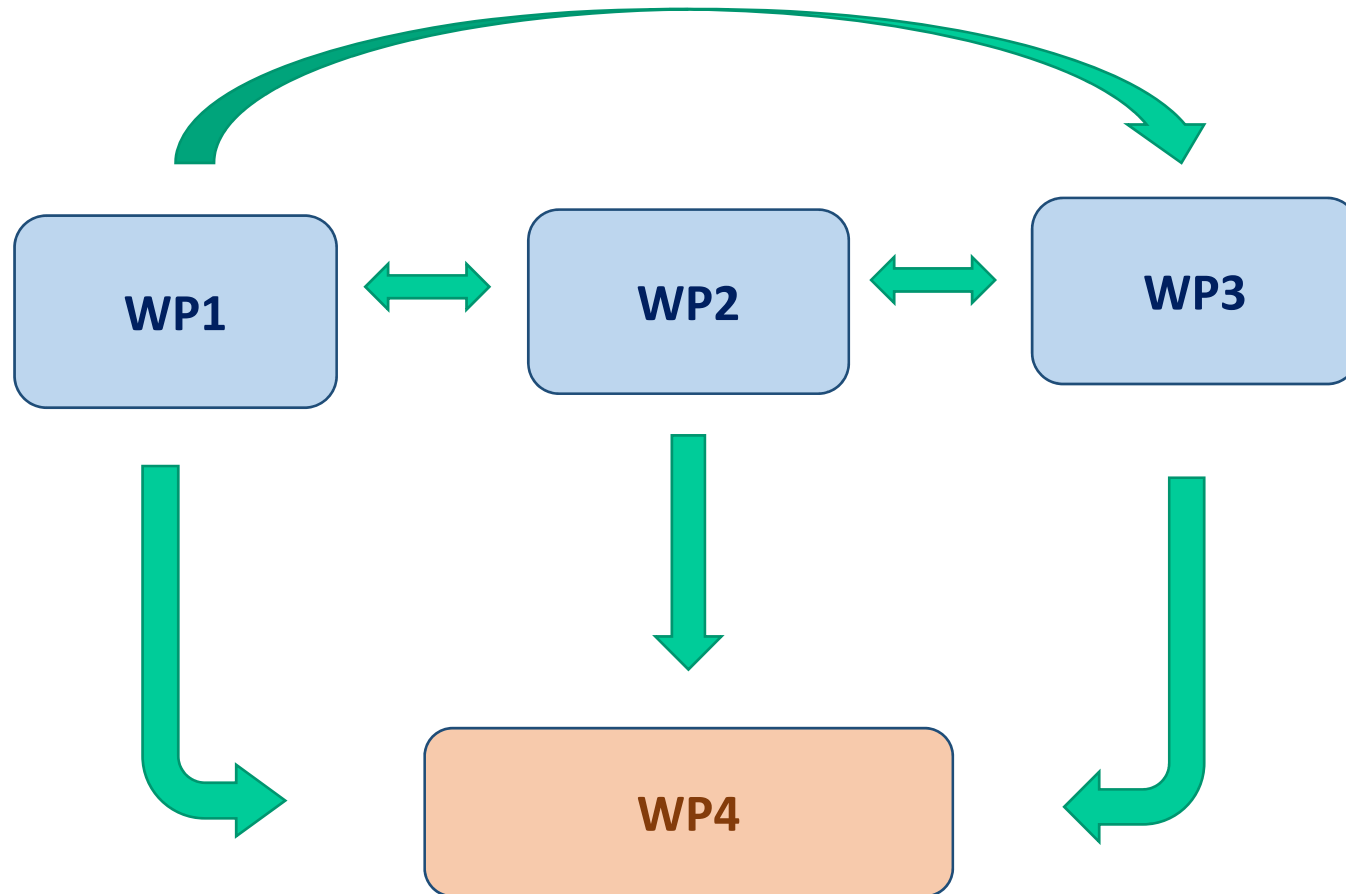
THE STRUCTURE OF THE RESEARCH

- WP1:** to outline the main features of a EU own tax
- WP2:** to identify those public functions that could be financed through the revenue of the EU tax (i.e. *EU welfare*)
- WP3:** to analyse the “solidarity dimension” of the EU tax
- WP4:** to properly disseminate the results of the project





THE STRUCTURE OF THE RESEARCH





SOLIDARITY IN EUROPE:

- **From constitutions to national welfare systems [macro level]**
- **Austerity measures & retrenchment policies [macro level]**
- **Horizontal solidarity [meso level]**
- **Individual attitudes and practices [micro level]**

Building on TransSOL findings

<http://transsol.eu/>





... INCLUSION

European citizens are ready to help each other, but data from 2017 TransSol survey (about 17.000 respondents in 8 European countries) suggest that this help is conditional. In fact, the motives of people to support fiscal solidarity within the EU (see Table 1) shows that the largest group subscribes the idea of reciprocity and deservingness. According to these views, solidarity in the EU is an exchange relation of giving and receiving help; moreover, groups receiving help need to show that they are worth being helped

Building on TransSOL findings

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REFLECTING ON DATA

Table 1: There are many reasons to state for or against financial help for EU countries in trouble. Which one of the following best reflects how you feel? (in %)

	Denmark	France	Germany	Greece	Italy	Poland	UK	CH	Total
Financial help has also beneficial effects for the own country.	20%	13%	15%	19%	16%	24%	15%	13%	17%
It is our moral duty to help other member states that are in need.	18%	16%	21%	27%	20%	20%	17%	15%	19%
member states should help each other, as somewhere along the way every country may require help	33%	37%	45%	59%	52%	49%	31%	42%	44%
Financial help should not be given to countries that have proven to handle money badly	40%	37%	40%	22%	26%	38%	42%	38%	35%
Don't know	19%	17%	9%	8%	13%	11%	16%	12%	13%
Total N	2183	2098	2064	2061	2087	2119	2083	2221	16916



REFLECTING ON DATA

Table 2: When should migrants obtain rights to social benefits and services as citizens do? (in %)

Country	immediately on arrival	after living 1Y (worked or not)	after worked & paid taxes 1Y	after Citizenship	Never	Total N
Denmark	7%	9%	37%	36%	11%	2,183
France	5%	9%	41%	26%	18%	2,098
Germany	9%	13%	46%	24%	7%	2,064
Greece	8%	8%	34%	35%	15%	2,061
Italy	8%	7%	38%	36%	12%	2,087
Poland	7%	8%	43%	32%	10%	2,119
UK	6%	8%	46%	27%	14%	2,083
Switzerland	6%	9%	52%	23%	10%	2,221
Total	7%	9%	42%	30%	12%	16,916





1. THE EU COMPETENCE ISSUE: A MATTER OF LEGAL BASIS OR OF METHOD?

- **Article 311 TFEU**
 - **new category of own resources/unanimity + ratification**
- **Art. 115 TFUE**
 - **harmonization of direct taxes/unanimity + link with establishment or functioning of the internal market**





1. (follows) THE EU COMPETENCE ISSUE: A MATTER OF LEGAL BASES OR OF METHOD?

- **Article 352 TFEU**
 - **Harmonization, and not only/no link with the market, but unanimity**
- **Art. 20 TEU/326 to 334 TFEU**
 - **Enhanced cooperation/consistency with the solidaristic dimension of a EU tax?**
- **What about subsidiarity and proportionality?**





2. HISTORICAL AND POLITICAL FOUNDATION OF A EU TAX

- No taxation without representation (and no representation without taxation)**
- Taxation as a means to improve the federalist evolution of the EU system**
- Taxation as a means to strengthen the solidarity ties amongst the European Citizens**
- EU market integration as a common heritage**





3. THE FUNCTION OF A EU TAX

- Improving the single market**
- Raising revenues to finance public (EU) expenses**
- Achieving EU policies in new fields (solidarity)**
- Creating a fund for emergencies (financial shocks, immigration, etc.)**
- Redistribution of wealth (equalization)**





4. THE SUBJECTS OF THE EU TAX

-European Citizens

-European enterprises (i.e enterprises with transnational business)

-Impact of free movement of capital (third States)





5. THE LEGAL FORM OF THE EU TAX

- EU corporate income tax (following the CCTB and the CCCTB)
- Energy tax
- Tax on transports
- Tax on financial transactions
- Environmental tax
- Tax on personal income
- Web tax
- Modulated VAT





6. THE TAXABLE FACTS AND THE TAXABLE AMOUNT

- European «value added»
- Enjoyment of «European public goods»
- Titolarity of rights and freedoms originated by EU law
- Administrative functions fulfilled by EU institutions
- EU tax rate *or* Member States tax rates (as VAT)





7. THE COHERENCE WITH NATIONAL TAX SYSTEMS

- no increase in the tax burden (alternativity)
- avoiding double taxation
- role of the DTCs?
- formulary apportionment





8. THE ADMINISTRATION OF THE EU TAX AND ITS REVENUES

- Creation of a EU fiscal body**
- Role of the national tax administrations**
- coordination**





Thank you for your attention!!!

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