

The Evolution of Mechanisms Countering Base Erosion and Profit Shifting (BEPS), with a focus on the Global Minimum Tax (Pillar II)

Doctoral thesis in Economics | International tax law and fiscal policy

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RESEARCH CONTEXT & MOTIVATION

Corporate income tax systems face sustained pressure from capital mobility, the rise of MNE groups, and the ability of digitalized businesses to generate income without physical presence. These trends intensify long-standing base erosion and profit shifting (**BEPS**) challenges. This thesis examines **the evolution of anti-BEPS instruments** and **evaluates the Global Minimum Tax (Pillar II)** as a culminating, system-shifting reform, assessed through doctrinal analysis and an empirical fiscal study for Poland.

CENTRAL THESIS

While evidence supports the existence of a CIT gap in Poland, the introduction of **the Global Minimum Tax (Pillar II) does not appear to materially reduce that gap – and the expected fiscal benefits are likely to be disproportionate to the rising compliance and administrative burdens** borne by taxpayers.

RESEARCH HYPOTHESES

RH1
There are indications supporting the existence of a CIT tax gap in Poland, consistent with the BEPS Action 11 methodology.

RH2
There are differences in effective tax rates (ETR) among Polish CIT taxpayers.

RH3
Estimated Pillar II revenues are modest relative to overall CIT receipts and are unlikely to materially reduce the direct tax gap.

RH4
Pillar II compliance costs are significant and may outweigh the fiscal benefits generated by the global minimum tax.

THESIS STRUCTURE

- Conceptual Foundations & Core BEPS Mechanisms**
Definitions, taxpayer behaviour spectrum, key channels: transfer pricing, hybrids, low-tax jurisdictions.
- The Original BEPS Project (2013–2015)**
Genesis, 15 Actions overview, limitations of BEPS 1.0 and unresolved allocation dynamics.
- BEPS 2.0: Pillar I & Pillar II (GloBE)**
Two-pillar architecture; Pillar II as core focus – ETR computation, 15% minimum tax trigger.
- Polish Implementation of the Global Minimum Tax**
EU Directive transposition; Polish act of 6 Nov 2024; IIR, QDMTT, UTPR; safe harbours, compliance obligations & sanctions.
- Research Studies: Tax Gap, Fiscal Effects & Costs**
Empirical core: CIT gap symptoms, ETR dispersion, Pillar II revenue vs. compliance cost assessment.

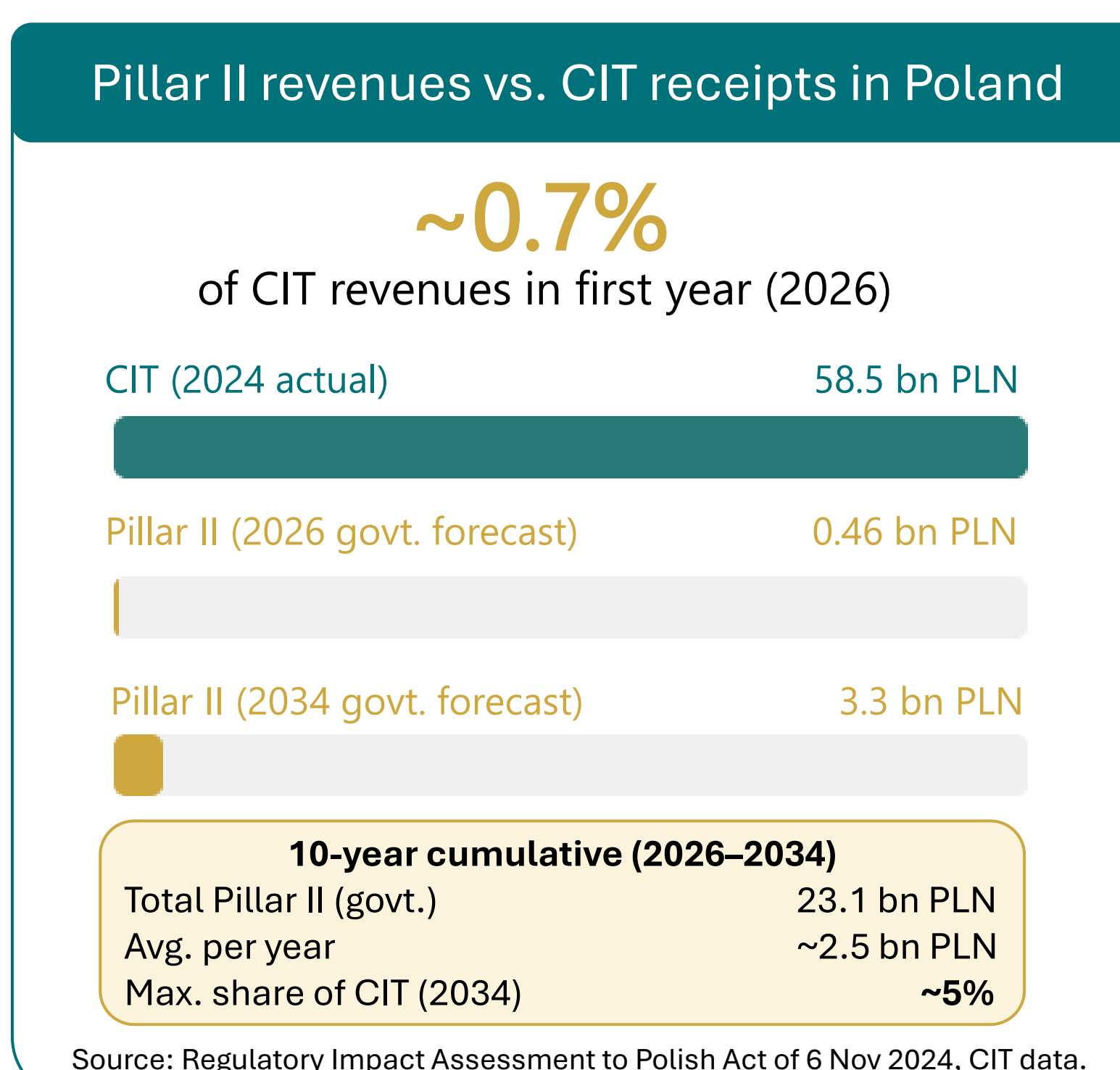
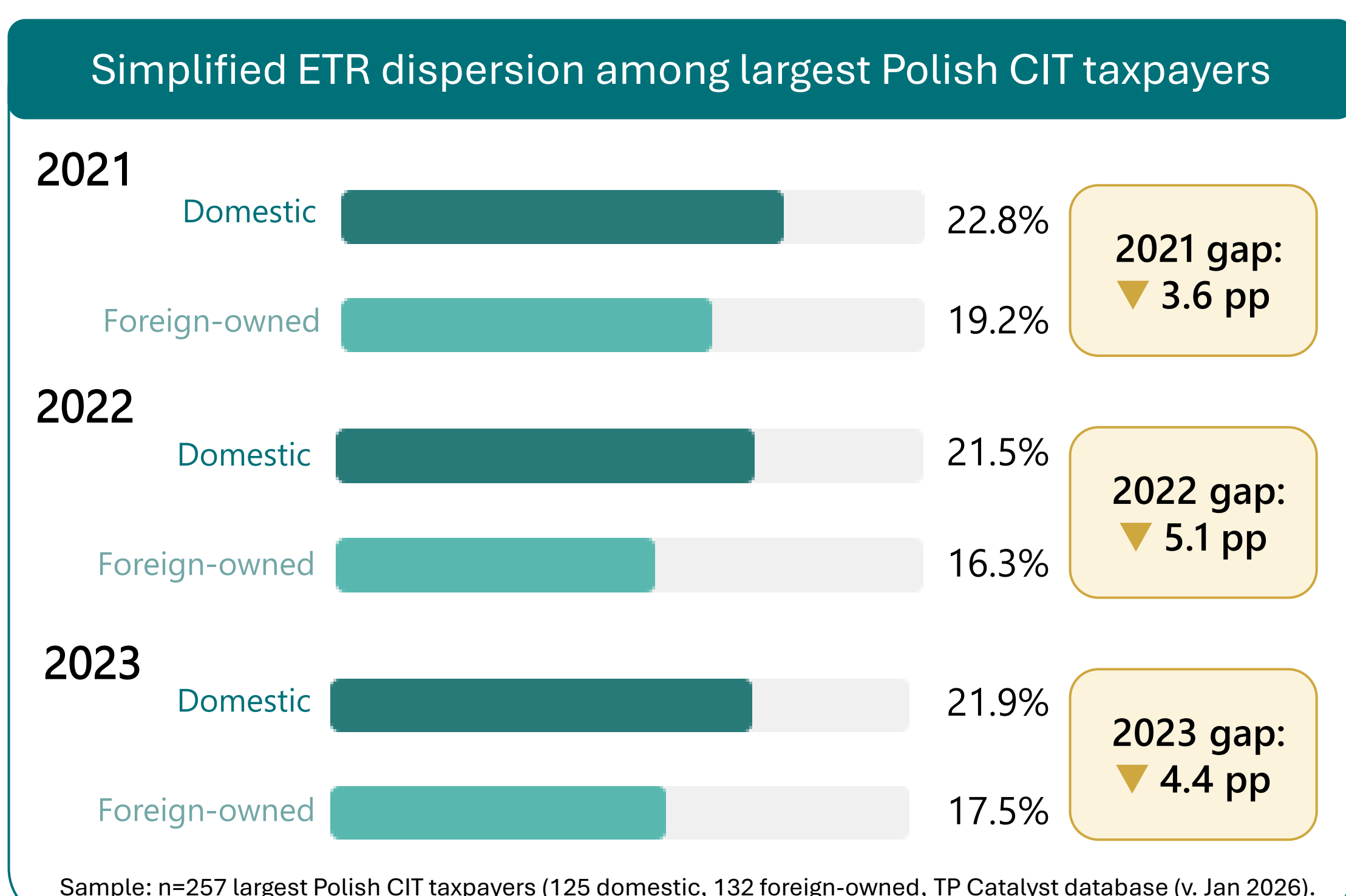
METHODOLOGY

- Doctrinal analysis
- Comparative law
- Macro fiscal data
- MoF CIT statistics
- Transfer pricing data
- WHT declarations
- Case studies
- Survey evidence
- Commercial databases

EXPECTED CONTRIBUTION

- I. Systemic evolution:** structured account of anti-BEPS instruments from early treaty approaches through BEPS 1.0 to the two-pillar framework.
- II. Legal transposition:** detailed mapping of GloBE rules into Polish domestic law (EU Directive and Act of 6 November 2024), IIR, QDMTT and UTPR.
- III. Fiscal assessment:** empirical analysis of revenue potential, administrability, and taxpayer burden – core questions for the taxpayers, advisors and tax administrations.

SAMPLE EMPIRICAL RESULTS (AS OF MAY 2026)



Compliance burden exceeds tax liability (survey examples)

RESPONDENT A – ENERGY & RESOURCES
Leading Polish Oil & Gas Group, domestic UPE perspective
Pillar II liability / CIT liability per year: <2%
Additional compliance cost in Y1: **PLN 0.5–1.75 M**

RESPONDENT B – FINANCIAL SERVICES
Major global insurer, foreign-headquartered group (CE pers.)
Pillar II liability / CIT liability per year: <2%
Additional compliance cost per year: **up to PLN 0.25 M**

Both respondents **reported compliance costs exceeding top-up tax liability**. Top challenges covered: **regulatory interpretation, data collection and intra-group coordination.**

Source: Surveys with tax responsible of Polish Pillar II taxpayers.