

## NEWS



### Civil Society Submission on the Kenya draft National Tax Policy

In July 2022, The National Treasury developed a draft national tax policy aimed at realising an efficient and fair tax system. In compliance with Article 201 of the Constitution, The National Treasury issued a notice to provide comments on the policy prior to finalization. As such, EATGN under the Umbrella of the Okoa Uchumi Coalition submitted an analysis of the draft national tax policy and proposals for improvement of the policy. [Read full submission...](#)



### Kenya to miss out on billions in 'secret' tax treaty with China

The National Treasury plans to activate a longstanding agreement with Beijing, which had not been made public since 2017 until now to eradicate double taxation of income or gains arising in one country and paid to residents of the other country. Withholding tax on dividends paid to Chinese shareholders in companies operating in Kenya will now be capped at five percent under a new tax deal between the two countries. [Read full article...](#)

## EVENTS

### African Conference on Debt and Development (AfCoDD II)

24<sup>th</sup> to 26<sup>th</sup> August 2022

Following the success of the African Conference on Debt and Development (AfCoDDI) in August 2021, AFRODAD and partners subsequently hosted AfCoDDII in Malawi in August 2022. This year's conference was themed *"From Recovery to Reform: Sisi Ndio Tuko – Stop the Bleeding"*. Discussions and debate converged on how Africa can move from planning for recovering from multiple crises to strategizing for the continent's engagement in a reformed global economic and political architecture with Africa as a rule maker and not a rule-taker.



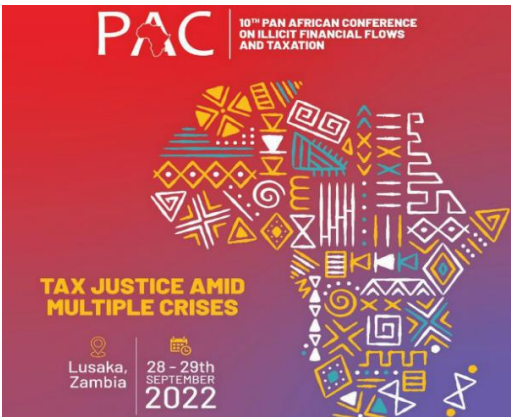


## The African Parliamentary Network on Illicit Financial Flows and Taxation (APNIFFT), 2022.

26-27 September

APNIFFT is a flagship program coordinated by Tax Justice Network (TJNA) with an overall objective to provide an opportunity for its members, the African legislators, to strategize, learn from each other and build their capacities in tackling Illicit financial flows and tax injustice in the continent. This year’s continental conference saw members of parliament from across Africa deliberate on how curbing IFFs can contribute to financing Africa’s economic recovery and draw success stories from various countries on curbing IFFs. [Register here...](#)

## UPCOMING EVENTS



## The 10th Pan African Conference on Illicit Financial Flows and Taxation

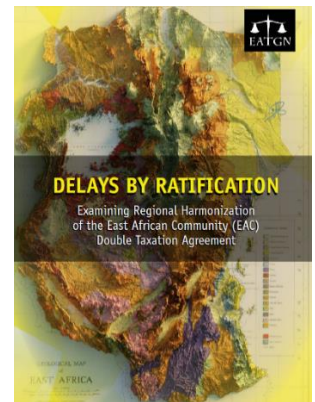
28-29 September

The 10th Pan African Conference on Illicit Financial Flows and Taxation (PAC) is scheduled to take place at the Taj Pamodzi in Lusaka, Zambia from 28 – 29 September 2022. The theme for this year’s conference is **“Tax Justice Amidst Multiple Crises”**. The Conference will convene stakeholders and policy actors from governments, civil society, research and academia, and other relevant players to deliberate and take stock of progress, setbacks, and opportunities in the continent’s quest to optimize domestic resource mobilization. [Register here...](#)

## UPCOMING PUBLICATIONS

### COMING SOON - Delays by Ratification: Examining Regional Harmonization of the East African Community (EAC) Double Taxation Agreement

One of the tools most used in tax harmonization is the signing of DTAs. The purpose a DTA is to help two countries minimize instances of double taxation that may arise from existing overlapping tax laws. This discussion paper will attempt to identify some of the key issues that arise out of the ratification process of the EAC double tax agreement and why the EAC member states ought to ratify the tax agreement as one step towards attaining tax harmonization. It also suggests several recommendations that can be adopted to make the model DTA an effective tool for tax harmonization tool.



### COMING SOON - Beneficial Ownership Laws Under the Kigali International Financial Centre

In recent years, there have been increased efforts to set up International Financial Centres (IFCs) in Africa as a means of attracting foreign investment. In East Africa, two IFCs have been established, namely the Kigali International Financial Centre (KIFC) and the Nairobi International Financial Centre (NIFC). This policy brief will focus on the KIFC, which has been hailed as one of the IFCs likely to become a significant African business facilitator in the next 2 to 3 years. It looks at potential areas of concern and provides recommendations to the Rwandan authorities to seal any loopholes for illicit financial activities.



## FORTHCOMING - Protected Cell Companies as Potential Tax Avoidance Vehicles Under the Kigali International Financial Centre.

Rwanda is one of the countries in the East African region setting up an International Financial Centre (IFC). In setting up the legal framework for the Kigali IFC, there have been several changes to Rwanda's laws including its company laws. New corporate structures such as protected cell structures, social benefit companies, and limited life companies have been introduced. This policy brief shall focus solely on protected cell companies, examining their structures, their attributes that allow for tax avoidance, and the risk they pose towards financial transparency.

## FORTHCOMING - Revenue Waivers and National Economic Pressures: The Hidden Cost of Tax Expenditures in Kenya

With increasing concerns over the implications of Kenya's tax expenditure on the country's revenue base, lack of transparency in administration of tax incentives, and questions over the opportunity cost of tax expenditures in Kenya -considering the lurking public debt problem; this study sets out to assess Kenya's tax expenditures. It aims to generate credible information on the efficacy and prudence of Kenya's tax expenditures considering the current fiscal situation. This will serve to inform advocacy efforts for a more just, equitable and progressive tax regime in the country.

### OP-ED

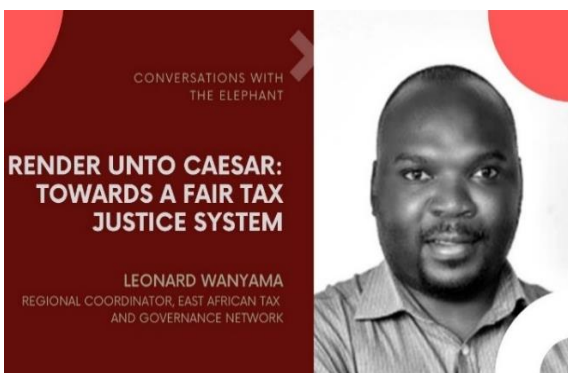


## Kenya: Fair Taxation for Economic Justice

By Leonard Wanyama

“Over the few years that I have been working on this subject, one question keeps coming up repeatedly. ‘What are you really talking about with this tax justice business?’ Depending on where one falls on the spectrum of insight in public finances—be it collection, allocation, expenditure, or sanctions in public finance management of revenues—tax justice can generally appear to have many meanings in varied contexts”. [Read more..](#)

### PODCAST



## Render unto Caesar: Towards a Fair Tax Justice System

This episode features the Elephant in conversation with the EATGN regional coordinator, Leonard Wanyama. He explains that for tax justice to truly work on behalf of the citizens, it must be founded on the principles of human rights. This demands that the financial architecture and fiscal systems in place allow for: citizen participation in decision making; accountability of systems; non-discrimination in implementation of programmes; and legitimacy through applying the rule of law. [Listen here...](#)

## TAX GLOSSARY

### Country by Country Reporting (CbC)

As part of a suite of international measures aimed at combating tax avoidance, country by country reporting is a proposed accounting standard under which a multinational corporation would be required to report in its annual accounts' key financial information including aggregate data on the global allocation of income, profit, taxes paid and economic activity among tax jurisdictions in which it operates. This CbC report is shared with tax administrations in jurisdictions for use in high-level transfer pricing and BEPS risk assessments.



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