



A Comparative Study of Legal Strategies against Tax Avoidance in the Digital Economy

Junxiang Wang

Faculty of Law, Macau University of Science and Technology, Macau, 999078, China

1210002162@student.must.edu.mo

Abstract. The development of digital economy provides a new "opportunity" for international tax avoidance by digital enterprises, but the existence of a large number of international tax avoidance behaviors not only causes serious tax loss of the host country, but also poses a serious challenge to the principle of fairness in international taxation. This article uses the Amazon tax avoidance case as a focal point to delve into the motives behind and the consequences of tax avoidance activities conducted by digital enterprises. It examines the evolving international discourse on digital service taxes and scrutinizes how various countries have developed their anti-avoidance legal frameworks. Through a comparative analysis, the paper discusses the effectiveness of different international strategies and evaluates China's approaches to mitigating tax avoidance in the context of the digital economy. Additionally, it assesses how China can balance these anti-avoidance measures with the imperative to foster the growth of its digital economy. By exploring these dynamics, the article aims to provide insights into the complexities of global tax regulation and suggest pathways for China to enhance its tax policy framework in response to the challenges posed by the digital transformation of business practices.

Keywords: Anti-tax avoidance, Digital Service Tax, Comparative law.

1 INTRODUCTION

In the context of globalization and digitization, the tax avoidance strategies employed by Transnational Corporations (TNCs) like Amazon, exploiting loopholes and discrepancies in international tax laws, have drawn widespread international attention and controversy. These acts of tax avoidance not only challenge the conventional principles and practices of international taxation but also trigger a comprehensive discussion on the effectiveness of anti-tax avoidance legal strategies in the digital economy.

The Amazon tax avoidance case has become one of the focal points of this discussion. As one of the world's largest e-commerce platforms, Amazon's strategies to minimize its tax liabilities through establishing subsidiaries in different countries and employing transfer pricing have led to scrutiny and criticism from various economies, including the United States and the European Union. This case not only reveals the

© The Author(s) 2024

A. Bhunia et al. (eds.), *Proceedings of the 2024 2nd International Conference on Finance, Trade and Business Management (FTBM 2024)*, Advances in Economics, Business and Management Research 304, https://doi.org/10.2991/978-94-6463-546-1_11

complexity of tax avoidance by multinational corporations under the digital economy but also exposes the limitations of the current international tax system in addressing digital business models.

In response, countries and international organizations have begun exploring and implementing a series of anti-tax avoidance legal strategies, aimed at adapting to the peculiarities of the digital economy, plugging tax loopholes, and ensuring fairness and efficiency in taxation. From the OECD's Base Erosion and Profit Shifting (BEPS) project to Digital Services Taxes (DST) and proposals for a global minimum tax, these strategies and measures reflect the international community's evolution and attempts to understand and address tax avoidance issues in the digital economy.

This paper aims to use the Amazon tax avoidance case as a perspective to analyze in depth the issue of tax avoidance by multinational corporations in the era of digital economy. It will compare and contrast the legal anti-avoidance strategies employed across different jurisdictions and assess their effectiveness, challenges and implications for international tax cooperation. Through this comparative analysis, the paper seeks to identify digital economy-specific anti-avoidance measures that could be more aptly suited for China. The goal is to offer theoretical insights and policy recommendations to enhance China's tax framework, promote tax equity and justice, and accommodate the rapid advancements of the digital economy.

2 THEORETICAL FOUNDATIONS AND LITERATURE REVIEW

2.1 Tax Avoidance Theory in The Digital Economy

The rapid growth of the digital economy, in particular its heavy reliance on intangible assets, provides multinational corporations with unprecedented tax avoidance opportunities. The features of this economic model, including globalized market access, low marginal costs and reliance on data and intellectual property, enable companies to operate globally without a physical presence, which facilitates tax avoidance. Digital businesses can shift profits and minimize tax liabilities by setting up legal entities or transferring intangible assets, such as copyrights and patents, in tax-preferred jurisdictions. Aided with digital features, multinational enterprises (MNEs) avoid, abolish, or adopt flexible tax burden in the developing nations through by-passing the permanent establishment condition for company taxes or the income characterization prerequisite for royalty taxation [1].

Central to the tax avoidance mechanisms in the digital economy is the strategic transfer of intangible assets, a practice that has become a linchpin for multinational corporations looking to shift profits. By licensing these assets to subsidiaries located in low-tax countries, these corporations can significantly reduce their tax obligations in higher-tax jurisdictions. This strategy takes advantage of the complexities of international tax law for valuation and transfer pricing of intangible assets, thereby reducing the tax burden in high-tax countries. In addition, the effectiveness of this strategy

is attributed to the inadequacy of the global tax system's mechanisms for taxing digital services.

2.2 Developments International Legal Strategies Against Tax Avoidance

In an effort to curb tax avoidance, developments in international legal strategies have gained significant momentum, notably with the launch of the OECD/G20 Base Erosion and Profit Shifting (BEPS) program. This initiative is designed to address the vulnerabilities in the international tax system that allow for profit shifting and base erosion, introducing a comprehensive set of 15 action plans, covering the challenges of the digital economy, the tax treatment of intangibles, the prevention of treaty abuses, transfer pricing documentation requirements, and dispute resolution mechanisms. The goal of the program is to ensure that profits are taxed where the value is generated and to prevent base erosion.

In addition to the BEPS program, there aimed at enhancing cross-border tax cooperation and combating tax avoidance. Examples include multilateral tax treaties, automatic exchange of information agreements and proposals for a global minimum tax. These measures work together to reduce the scope for tax avoidance by increasing transparency and strengthening international cooperation.

2.3 Research Gaps and the Point of View of this Paper

Existing literature tends to ignore the complexity and dynamics of tax cooperation between countries when analyzing tax avoidance strategies and their impact on the global tax system in the digital economy. Many studies have focused on the effects of single strategies or legal frameworks, failing to comprehensively consider how multi-level and cross-cutting anti-avoidance measures work together [2].

This paper seeks to fill this research gap by comparatively analyzing the anti-avoidance legal strategies adopted by different countries and regions, and exploring the effectiveness of these strategies and their complementarity or conflict with each other in the context of the digital economy. In particular, the paper focuses on how the challenges of intangible asset shifting and profit shifting can be addressed through enhanced international cooperation and improved legal frameworks, as well as the impact of these measures on global tax justice and fairness. Through an in-depth analysis of the OECD/G20's BEPS program, the introduction of the Digital Services Tax (DST), and the proposed Global Minimum Tax (GMT), this paper aims to shed light on the limitations of current international anti-avoidance strategies and potential directions for improvement.

In addition, by examining countries' experiences in implementing these strategies, the paper assesses the challenges they have encountered in practice, including technical implementation difficulties, insufficient international coordination, and possible negative impacts on international trade and investment. The paper suggests that while the international community has made progress in anti-avoidance legislation, there is still a need to strengthen global governance structures to cope with the growing complexity and dynamism of the digital economy.

Ultimately, the research perspective of this paper emphasizes the need for a diversified and hierarchical international cooperation framework that can adapt to the changing economic environment and effectively respond to multinational corporations' tax avoidance strategies using the digital economy. The contribution of this paper is to provide a more comprehensive and in-depth way of understanding about how the international community can better utilize legal and policy tools to address this global challenge while keeping the tax system fair, effective, and adaptable.

By comprehensively analyzing and comparing the practices of different countries, this paper expects to provide a theoretical basis and practical guidance for China to design more effective anti-avoidance measures, thereby ensuring that China balances anti-avoidance with the promotion of the digital economy.

3 CASE STUDIES OF INTERNATIONAL COMPARISONS

3.1 In-Depth Analysis the Amazon Case

As one of the world's largest multinational e-commerce companies, Amazon's tax avoidance strategies have attracted extensive attention from governments and the public around the world. Amazon's tax avoidance tactics mainly include the use of tax treaties, related transaction pricing and avoidance of digital service tax.

Firstly, Amazon shifts its profits to countries or regions with low tax rates by taking advantage of tax treaties between different countries. For example, by setting up a subsidiary in Luxembourg and taking advantage of the tax treaties between that country and other EU countries, Amazon shifted a large amount of profits to Luxembourg so as to enjoy a low tax rate. This practice, although not legally illegal, has caused a lot of controversy and is considered as taking advantage of tax loopholes to avoid tax. Secondly, connected transaction pricing is another important means for Amazon to reduce its tax burden. By conducting internal sales or service transactions between different countries, Amazon is able to shift profits to countries with lower tax rates by adjusting the price of the transaction. Finally, for the emerging Digital Services Tax (DST), Amazon has avoided it through various strategies. The DST is designed to tax large businesses in the digital economy, and Amazon has been able to minimize the impact of this tax by adjusting its business structure and revenue streams [3].

In the face of tax avoidance by digital economy giants such as Amazon, governments and international organizations have taken a series of measures. The Base Erosion and Profit Shifting (BEPS) action plan proposed by the OECD is an important international response to such tax avoidance strategies [4]. The plan contains 15 guidelines aimed at strengthening international tax cooperation, avoiding base erosion and profit shifting, and ensuring the fairness of corporate tax burden. In addition, a number of countries have begun to legislate separately on digital services tax in an attempt to directly tax the income from digital services of companies such as Amazon. For example, countries such as France and the UK have implemented their own digital services tax laws [5].

Overall, while the international community has responded with legislation and policy, the effectiveness of these measures remains to be seen. On the one hand, compa-

nies such as Amazon have begun to adapt their business strategies to meet the challenges of these new laws; on the other hand, the complexity of tax laws and the difficulty of international cooperation remain significant obstacles to effectively curbing tax avoidance.

3.2 Comparison of International Anti-Tax Avoidance Legal Strategies

U.S. Legal Strategies and Practices. The U.S., as one of the world's largest economies, has an anti-avoidance legal framework that relies heavily on comprehensive anti-avoidance provisions, transfer pricing rules, and anti-diversion provisions for global low-taxed income (GILTI). The U.S. adopted the 2017 tax reforms, in particular the Foreign Direct Investment Income Tax (FDII) and the Global Income Low-Taxed Income Countertransfer Provision (GILTI), to reduce the incentives for multinational corporations (MNCs) to transfer their profits by shifting them to low-tax countries. Meanwhile, in the development of REITs in the United States, some companies have taken advantage of the tax incentives for REITs to avoid taxes, including the avoidance of liquidation income tax, corporate income tax, and tax avoidance through transfer pricing between REITs and their taxable subsidiaries. To this end, the United States has enacted a series of anti-avoidance provisions, including a built-in gains tax, a prohibited transaction tax on REITs for prohibited transactions, exclusion of the application of dividend deduction rules, and punitive taxes on transfer pricing [6].

These measures are intended to prevent U.S. companies from avoiding taxes by shifting profits to overseas subsidiaries. While the intention was to increase the U.S. tax base and encourage multinationals to bring their operations and profits back to the U.S., in practice, these measures have not been as effective as expected. Some multinationals are still able to avoid taxes through complex tax planning structures.

Legal Strategies and Practices in Japan. Japan's anti-avoidance measures mainly include the Control of Foreign Companies Provision (CFC Provision) and the transfer pricing tax system. The Japanese CFC regulations require Japanese multinationals that have a controlling interest in a subsidiary in a low-tax country to consolidate the undistributed profits of the subsidiary into their Japanese taxable income. The purpose of this measure is to prevent Japanese companies from shifting their profits to low-tax countries as a means of controlling their inability to rely on tax havens for tax avoidance. In terms of transfer pricing, Japan has adopted an approach consistent with OECD guidelines, requiring multinational enterprises to trade at prices consistent with those of independent third parties. The specific procedures are as follows: first, prior consultation by the taxpayer, second, filing of a reservation pricing application by the taxpayer, third, acceptance of the application, fourth, review of the reservation pricing application, fifth, amendment or withdrawal of the reservation pricing application, sixth, mutual consultation relating to the reservation pricing, eighth, filing of the report for each business year of the reservation pricing period, ninth, handling of the report, and tenth, modification or cancellation of the reservation pricing [7].

These Japanese measures have been somewhat successful in limiting tax avoidance, but face the same challenge of companies circumventing these requirements through complex financial and tax arrangements.

Germany's Legal Strategies and Practices. Germany has adopted strict control of foreign company provisions and transfer pricing rules in the context of anti-avoidance. German tax law avoids tax by restricting multinational corporations from avoiding tax through profit shifting and debt capitalization. This is particularly reflected in Germany's Foreign Transaction Tax Act (AStG), which avoids profit shifting by multinationals through transfer pricing rules to ensure fair and reasonable prices in cross-border transactions. Germany has also implemented anti-mixing difference utilization measures to prevent companies from taking advantage of differences in tax laws in different countries to avoid tax. While these measures have made Germany a pioneer in anti-avoidance efforts at the international level, there are still limitations such as difficulties in implementation and insufficient international cooperation.

3.3 Comparative Analyses

After an in-depth comparison of the anti-avoidance strategies of the United States, Japan and Germany and their treatment of intangible asset transfers, we can observe that each country's approach has its own distinctive features as well as common challenges.

Effectiveness and Limitations of Legal Strategies. In comparing the legal strategies used by the US, Japan and Germany to deal with tax avoidance by multinational corporations, we can observe that although these strategies have been effective in limiting tax avoidance to a certain extent, there are still obvious limitations.

Firstly, although the US tax reforms, such as GILTI (Global Income Low Taxed Income Anti-Transfer Provisions), aim to reduce tax avoidance by corporations through their overseas subsidiaries, these measures have had a certain impact on increasing the US tax base and encouraging corporations to repatriate their capital back to their home countries. However, complex regulations and tax incentives still provide multinational corporations with room for tax avoidance. For example, by setting up subsidiaries in tax favored countries, multinationals can still take advantage of loopholes in the rules to avoid tax.

Japan's Controlled Foreign Corporation (CFC) regulations and transfer pricing tax regime are designed to ensure fairness in cross-border transactions and prevent firms from shifting profits to low-tax countries. However, these measures are difficult to implement, especially in assessing and ensuring the fairness of prices in cross-border transactions. In addition, for companies that rely heavily on intangible assets such as patents and trademarks, the assessment of the value of their intangible assets and the determination of the place of attribution of profits are more complex.

German anti-avoidance strategies are known for their rigor, particularly in transfer pricing and anti-mixing differential utilization. While these measures have been effec-

tive in curbing base erosion and profit shifting, they have also increased compliance costs, especially for large multinationals with global operations in multiple countries and regions. In addition, Germany's strategy also reveals a reliance on international cooperation and coordination, as no matter how stringent the tax laws of individual countries are, the problem of tax avoidance will remain difficult to solve at all without extensive international cooperation.

Comparison of Anti-Avoidance Strategies for Intangible Asset Transfers. In response to tax avoidance strategies for intangible asset transfers, all three countries have demonstrated attempts to limit such tax avoidance through legal means. The U.S. GILTI regulations are a direct response to such behavior, attempting to restrict U.S. companies from transferring intangible asset gains to countries with lower tax burdens by tax means. Japan and Germany, on the other hand, have adopted strict transfer pricing rules that require multinationals to align their internal transaction prices with those of independent third parties, which also applies to intangibles.

While all three countries are trying to adapt to the challenges posed by the rapidly evolving digital economy and the transfer of intangibles, they all face issues such as insufficient global tax co-operation, information asymmetry and the increasing sophistication of multinationals' tax planning techniques. In addition, countries' legal strategies need to balance the need to combat tax avoidance with the need to maintain international competitiveness and avoid excessive tax burdens affecting the global operations of enterprises.

In summary, although the anti-avoidance strategies of the United States, Japan and Germany are focused and successful in some aspects, it is difficult for a single country's efforts to fully address the problem of cross-border tax avoidance in the context of globalization. This highlights the importance of strengthening international cooperation, harmonizing tax rules and sharing information in order to deal more effectively with tax avoidance by multinational corporations, especially in the area of intangible asset transfers.

4 IMPLICATIONS AND SUGGESTIONS FOR CHINA

In the globalized economic environment, tax avoidance by multinational corporations taking advantage of the differences in international tax systems has become an increasingly serious problem. For China, especially in the context of the rapid development of the digital economy, it is particularly important to formulate and implement effective anti-tax avoidance strategies. This chapter aims to provide insights and suggestions for China's anti-avoidance legal strategy based on the previous case study and the comparison of practices in other countries.

4.1 Current Situation of China's Anti-Avoidance Legal Strategy for Digital Economy

China has established a set of legal frameworks, including the Enterprise Income Tax Law, anti-avoidance provisions, and transfer pricing tax administration measures, to regulate the tax behaviors of multinational corporations and prevent tax base erosion and profit shifting.

Specifically, Article 47 of the Enterprise Income Tax Law empowers tax authorities to make adjustments if they find that enterprises have paid less tax due to their related party transactions not being consistent with arm's length principles. Furthermore, China has refined its legal framework regarding tax avoidance by multinational corporations through the "Announcement on Issues Concerning Enterprise Income Tax on Expenses Paid to Overseas Related Parties" issued by the State Taxation Administration. This document mandates that payments to overseas related parties must comply with the arm's length principle and requires enterprises to substantiate these transactions with contracts and supporting evidence that demonstrate their authenticity and adherence to this principle. The Announcement delineates four specific scenarios where payments do not meet the arm's length principle: payments to related parties without substantial business activities or risk assumption, payments for services that do not yield direct or indirect economic benefits, fees for the use of intangible assets where the related party has not contributed to value creation, and fees related to financing or listing activities that confer incidental benefits. It also introduces a beneficiary perspective for analyzing the reasonableness of service fees, inspired by OECD guidelines, stating that service payments must result in direct or indirect economic benefits to be deductible in calculating taxable income. This approach marks a significant step in tightening the scrutiny of cross-border transactions and reducing tax avoidance opportunities for multinational enterprises operating within China [8].

In the digital economy, China's tax authorities have become increasingly aware of the challenges posed by multinational corporations that seek to transfer profits and avoid taxes through digital channels. Although there has been a significant focus on reviewing cross-border payments and enhancing the tax administration of cross-border e-commerce, China currently lacks specific regulations that directly address the complexities of tax avoidance in the context of the digital economy. The authorities have responded by scrutinizing the digital transactions of multinational corporations more closely and strengthening the oversight of e-commerce activities to prevent profit shifting and tax base erosion, including examining the adequacy of existing tax laws when applied to the digital transactions and digital presence of these companies, which often do not align neatly with traditional tax categories and jurisdictions.

Although China has made some progress in developing an anti-avoidance legal framework, it still faces a series of challenges in the context of the digital economy. One significant hurdle is the complexity involved in assessing the value of intangible assets. These assets, which are central to the digital business model, often lack physical tangibility and their valuation is not straightforward, leading to difficulties in establishing a fair and enforceable tax regime. Additionally, the definition of digital services remains vague, complicating the task of categorizing and taxing these ser-

vices appropriately. Moreover, the landscape of international tax rules is in constant flux, further complicating the situation. These changes often occur in response to the global shifts towards digitalization, and staying aligned with these shifts requires nimble and adaptive legislative responses. However, China's current tax legislation, primarily designed for a more traditional economic environment, struggles to keep pace with these developments. The existing laws do not adequately address the unique characteristics of digital transactions that often occur without a physical presence, leading to potential loopholes and inefficiencies in tax collection.

4.2 Insights Based on International Comparison

By analyzing the experiences of countries such as the United States, Japan and Germany, the insights that China can draw from include strengthening the transfer pricing management of multinational corporations, formulating special tax regulations for the characteristics of the digital economy, and adopting more flexible tax administration measures to cope with the fast-changing business environment. In addition, by drawing on measures such as GILTI, China can also consider appropriate tax management of low-taxed income of overseas subsidiaries to reduce profit-shifting behavior. While formulating and implementing anti-avoidance strategies, China also needs to consider how to balance the relationship between tax administration and the development of the digital economy. An overly strict tax policy may inhibit innovation and development of enterprises, while an overly lax one may lead to tax loss. Therefore, how to find a suitable balance between promoting the development of digital economy and preventing tax avoidance is an important aspect that China needs to consider when formulating anti-avoidance strategies. Furthermore, while international strategies have their merits, they also encounter limitations such as difficulties in implementation, insufficient international coordination, and the unintended consequences on international trade and investment. Thus, China needs to craft its anti-avoidance measures not only based on successful foreign practices but also tailored to its unique economic and regulatory context.

4.3 Specific Suggestions and Implementation Path

Improve the Legal System and Policy Measures. In order to effectively deal with tax avoidance behaviors in the digital economy, China needs to continuously improve its legal system and policy measures. This includes, but is not limited to, updating the transfer pricing tax administration methods, introducing specific tax provisions for the digital economy, and improving the anti-avoidance provisions to make them more adaptable to the needs of the digital era. Specifically, the following aspects can be considered:

Firstly, reforms should aim to enhance transparency and compliance. Increase tax transparency and improve tax compliance by establishing a more comprehensive information disclosure system and requiring multinational enterprises to provide comprehensive business reports and information on tax arrangements.

Additionally, there is a significant need to develop tax provisions specific to the digital economy. Develop tax policies specific to the digital economy, such as a tax on digital services, specific provisions on income from online platforms, and consideration of taxing businesses that generate economic value in the country but have no physical presence [9].

Furthermore, adjusting transfer pricing rules is crucial, particularly concerning the valuation of intangible assets common in the digital sector. This adjustment should aim to ensure that cross-border transactions involving intangible assets are conducted at fair and reasonable prices, reflecting true economic activity and preventing base erosion and profit shifting.

Strengthen International Cooperation and Information Exchange. Actively participate in international tax cooperation is the key, which involves strengthening tax cooperation with other countries, participating in the process of formulating international tax rules, and promoting the development of international tax rules in the direction favorable to China's interests.

Expanding the information exchange network is also essential. Through bilateral or multilateral agreements, China needs to expand the information exchange network with tax authorities of other countries, especially tax information on multinational corporations, and improve the detection capability of transnational tax avoidance.

Promoting Synergistic Progress of Law and Technology. Use technological means to improve the efficiency of tax administration can be an effective way. China should use big data, artificial intelligence and other technological means to improve the tax authorities' ability to process tax information on multinational corporations, especially their ability to analyse large amounts of complex data, so as to identify tax avoidance more efficiently.

To ensure that the updating of tax policies and regulations is synchronised with technological development, China should also promote the coordination of policies, regulations and technological development, so as to avoid the space for tax avoidance due to the legal system lagging behind technological development. At present, China should strengthen and improve the international tax avoidance and anti-avoidance legislation and tax system. Establish a perfect tax system, form a legalised tax avoidance structure, improve the level of legislation, and incorporate it into the legislative system in a timely manner according to the emergence of problems in the continuous development and change of the digital economy, so as to regulate and constrain the behaviours of taxpayers and tax avoiders. Firstly, at the technical level of legislation, it clearly defines tax avoidance and anti-avoidance behaviours, unifies the textual recognition of tax-related matters, regulates governmental tax-related documents, and improves the identification of tax law rules. Secondly, defining tax benefits can judge the tax avoidance purpose of taxpayers' transactions and prevent the abuse of tax law. Finally, establish a scientific system of international tax avoidance and anti-avoidance rules, rationally allocate "norms" and "standards", and improve the efficiency of tax avoidance [10].

In conclusion, for China, the formulation of an effective legal strategy against tax avoidance is both a challenge and an opportunity. By learning from international comparisons, formulating suitable strategies in combination with China's actual situation, and balancing the relationship between tax administration and the development of the digital economy in the process, China can better cope with the challenges of tax administration in the era of digital economy. In addition, strengthening international cooperation and taking advantage of technological advances will be the key to improving China's anti-tax avoidance capacity.

5 CONCLUSION

This paper has explored international tax avoidance in the context of the digital economy, focusing on multinational corporations (MNCs) in their strategy of using digital asset transfers to avoid tax. A detailed comparison of the anti-avoidance legal strategies of the United States, Japan, and Germany is presented, showing how each country has used legal means to restrict companies from taking advantage of differences in tax regimes to reduce their tax liabilities. Although the strategies of these countries are effective to some extent, the imperfections of the global tax system and the complexity of multinational corporations' strategies remain great challenges.

This paper highlights the need to strengthen international co-operation and improve the legal framework to more effectively counter the tax avoidance behaviour of multinational corporations, especially for China, where it is particularly important to formulate and implement effective anti-avoidance strategies in the fast-developing digital economy environment. After comparing the anti-avoidance approaches and legislation of other countries, it provides international experiences that can be useful to China in formulating these strategies, such as strengthening cross-border price management, formulating tax regulations specific to the digital economy, and improving tax transparency and compliance.

In addition, the paper explores the relationship between balancing anti-avoidance measures and promoting the development of the digital economy, pointing out that overly stringent tax policies may inhibit business innovation and development, while overly lenient ones may lead to tax losses. Therefore, finding an appropriate balance between promoting the development of the digital economy and preventing tax avoidance is an important aspect that must be considered when formulating anti-avoidance strategies.

REFERENCES

1. figPandey Kavita, Yadav Surendra S. & Sharma Seema.(2023).Drivers of tax avoidance by MNEs in the developing countries under the digital economy: a modified-TISM approach,Journal of Advances in Management Research(5)./JAMR-02-2023-0025.
2. Antony Ting.Old Wine in a New Bottle:Ireland's Revised Definition of Corporate Residence and the War on BEPS.British Tax Review,2014(3):237-247.

3. Cai, Chang, Xiaomin Cao & Yi-Wei Cai. 2011 A new species of the genus *Pseudourostyla* (Hymenoptera, Braconidae) from China. (2022). Study on International Tax Avoidance and Anti-Avoidance of Digital Enterprises--An Example of the Tax Avoidance Case of Amazon.com, Inc, *Friends of Accounting* (02), 107-113.
4. Li Huidong. Reflections on international tax avoidance and anti-avoidance under digital economy, *International Business Finance and Accounting*, 2022(22):83-85.
5. Tang Chen. Research on Cost Sharing Agreement of Intangible Assets, Jinan University, 2020.
6. Yu Qiqi. Anti-Tax Avoidance System of U.S. REITs and Reference to China, *Southern Finance*, 2021(11):93-99.
7. Huang Shizhou. A Comparative Study of General Anti-Avoidance Legislative Practices - Focusing on Relevant Provisions and Examples of Tax Laws of China, Taiwan, Japan and Germany. *Jiaotong University of Law*, 2015(01):128-141.
8. Law of the People's Republic of China on Enterprise Income Tax (Revised in 2018)
9. Jiang Yazhi. The legal path of tax avoidance regulation in China under the background of digital economy, *Law Review*, 2023, 41(02):127-138.
10. Xiao Yuzhi. Research on International Tax Avoidance and Anti-tax Avoidance in the Context of Digital Economy. Jilin Institute of Fiscal Science. *Fiscal and Financial Observations* (2nd Series in 2021). Jilin Institute of Fiscal Science: Jilin Institute of Fiscal Science, 2022:5.

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

