Project EU CYBER VAT

Policy Recommendations

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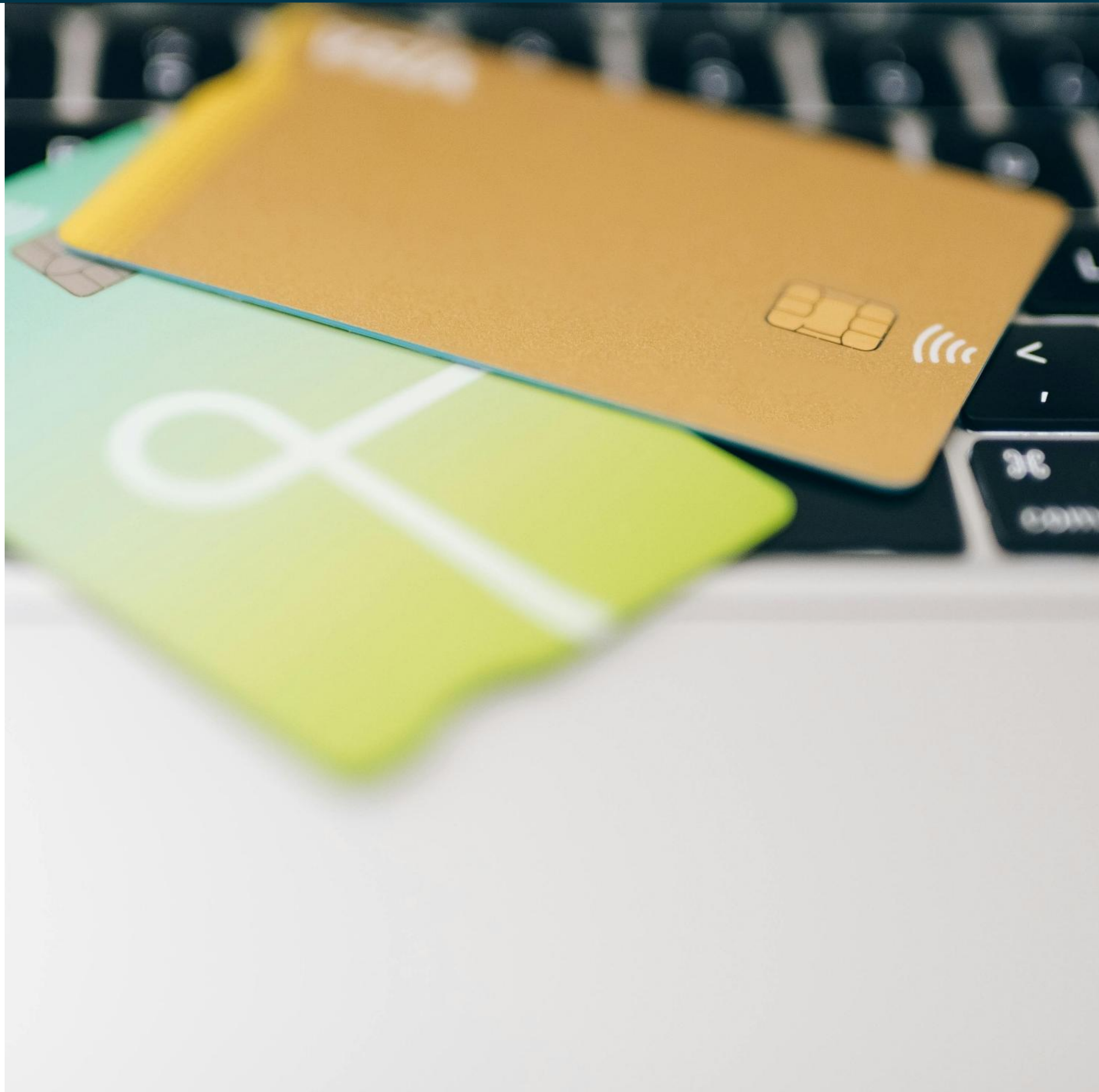
Types of recommendations

1. **Substantive criminal law**
   - Harmonisation, legal convergence and integration in the EU
   - Regulatory reforms
2. **Criminal procedures and inivestigations**
   - Specialised and efficient investigations
   - Use of technology in prevention and investigation
   - Effective reporting system
   - Judicial cooperation
3. **PSP and platform obligations**



Substantive criminal law

Harmonisation, legal convergence and integration in the EU

- Strengthen **enforcement** and **monitoring** of the **PIF Directive**
- Promote further **harmonisation** of the **subjective element** of the **VAT-related offences**
- Ensure **aggravating circumstances** for **organised VAT fraud**
- Institutionalise **peer-learning** and **knowledge-sharing** platforms
- Broaden and systematise **stakeholder engagement**

Substantive criminal law

Regulatory reforms

- **Do not** introduce a **separate offence** for cyber VAT fraud
- **Harmonise the definition** of VAT fraud at the EU level
- Consider **cyber elements as aggravating circumstances**
- Prioritise **investment in investigative and technological capacities**
- Strengthen **administrative liability regimes** for legal persons
- Explore **fiscal policy measures** such as sector-specific split payment regimes

Criminal procedures and inivestigations

Specialised and more efficient investigations

- Develop **minimum standards** for institutional capacity
- Promote **EU-wide specialised training** and **curricula**
- Enhance **procedural harmonisation**
- Encourage the establishment of **specialised judicial tracks**
- **Align statutes of limitations** with complexity of transnational crime

Criminal procedures and inivestigations

Use of technology in prevention and investigations

- **Technological modernisation** of investigative tools
- **Interconnection** of National data systems
- **Harmonisation** of digital infrastructures
- **Specialised Training** and dedicated **Units**
- Digital standardisation for **E-Reporting** and **E-Invoicing**
- **Ethical and Legal Governance** of technological tools

Criminal procedures and inivestigations

Use of Reporting Systems

- **Accelerate** the EU-Wide implementation of **Real-Time VAT Reporting Mechanisms**
- Promote **Harmonisation** of **E-Invoicing** and **Digital Reporting Infrastructures**
- Transition Tax Authorities from reactive to **proactive fraud detection models**

Criminal procedures and inivestigations

Use of technology in prevention and investigations

- Strengthen Cross-Border **investigative cooperation**
- **Expand OLAF's** investigative capacity
- Promote **Data integration** and **interoperability**
- Balance **efficiency** with **safeguards**

Payment Service Providers and Platform Obligations

- Strengthen the **data processing capacities** of **Tax Authorities**
- Promote harmonised and proportionate **sanctions** across Member States
- Improve domestic **Inter-Agency coordination** in VAT Fraud Enforcement

Conclusions

Three Interrelated Pillars for Future Policy Development

Enhanced Horizontal Cooperation

Through common standards, shared investigative practices, and mutual recognition of evidence, EU Member States can move toward operational harmonisation without requiring deep legislative change.

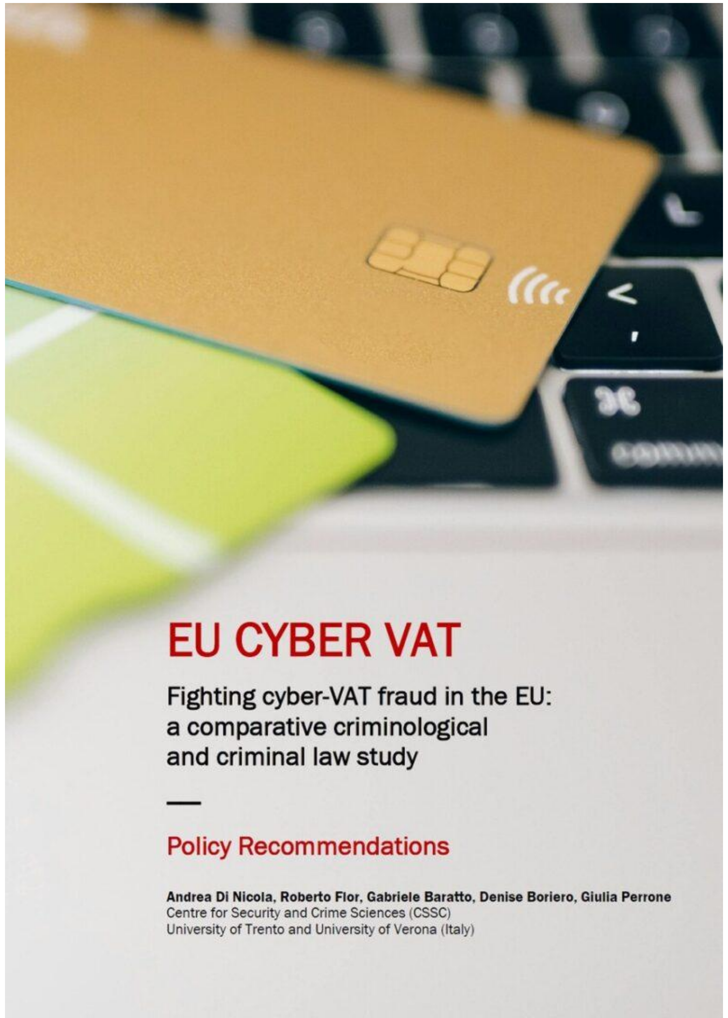
Technological and Institutional Integration

From centralised databases to AI-driven risk analysis tools, the integration of digital infrastructure must underpin VAT fraud prevention and enforcement across the EU.

Balanced and Coordinated Enforcement

A dual-track approach that reinforces both national administrative enforcement and EU-level investigative coordination will strengthen the overall integr ity of the Union's financial interests.

Detailed results



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Thank you for your attention!

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Project “EU CYBER VAT. Fighting cyber VAT fraud in the EU: a comparative criminological and criminal law study”

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