XIX Meeting of the Iberoamerican Observatory of International Taxation
XVI Edition of the Iberoamerican Tax Moot Court

November 8th – 11th, 2026
São Paulo – Brazil

Sunday, November 8th, 2026 – Location: USP Law School

8:30 – 9:00

Team's Welcome – XVI Iberoamerican Tax Moot Court (ITMC)
Host University – Welcome

9:00 – 10:30

Moot – Round I (5 simultaneous matches)

10:30 – 11:00

Break

11:00 – 12:30

Moot – Round II (5 simultaneous matches)

12:30 – 14:00

Lunch

14:00 – 15:30

Moot – Round III (5 simultaneous matches)

15:30 – 16:00

Break

16:00 – 17:30

Moot – Round IV (5 simultaneous matches)

INSTITUTO BRASILEIRO DE DIREITO TRIBUTÁRIO 50 anos

OITI Observatorio Iberoamericano de Tributación Internacional

Monday, November 9th, 2026 – Location: USP Law School

8:00 – 8:15

Opening

8:15– 9:30

Panel I: Extractive Industries and Immovable Property: From the OECD to Tax Treaty Practice

Chair: Martin Wenz

Panelists: Álvaro Villegas, Ricardo Rodrigues

Alumni Rapporteur: Alejandro Dominguez

9:30 – 10:45

Panel II: Permanent Establishment (PE) in Extractive and Agribusiness Industries: 2025 OECD Model and UN Model

Chair: Luis Flavio Neto

Panelists: Jose Manuel Castro, Roberto Codorniz

Alumni Rapporteurs: Kaled Luyo y Rossaura Venecia

10:45 – 11:15

Break

11:15 – 12:30

Panel III: Service Fees Paid by PE or Subsidiaries to Non-Residents: Source, Deduction Limits, and Tax Treaty Qualification

Chair: Alejandro Calderón

Panelists: Martin Wenz, Rodrigo Maitto

Alumni Rapporteur: Gabriel Bez Batti (BDE - Advogados)

12:30– 13:45

Lunch

13:45 – 14:00

Announcement of Finalists

14:00 – 15:30

Panel IV: Transfer Pricing and Valuation of Agricultural and Mining Commodities

Chair: Yariv Brauner

Panelists: Aitor Navarro, Martin Wenz

Alumni Rapporteur: Bruna Ferrari

15:30 – 16:00

Break

16:00 – 17:30

Panel V: Domestic anti-abuse approaches in international tax issues, including agribusiness and extractive industries

Chair: Luis Eduardo Schoueri

Panelists: Leonardo Aguirra de Andrade, Diogo Olm Ferrreira

Alumni Rapporteur: Isabel Navarro

Tuesday, November 10th, 2026 – Location: IBDT

8:00 – 9:15

Panel VI: VAT in Extractives and Agribusiness: The Refund Challenge

Chair: Gustavo Vettori

Panelists: Alvaro Villegas, Fernando Zilveti

Alumni Rapporteur: Lina Ortiz

9:15 – 10:30

Panel VII: Preferential Regimes for Extractives and Agribusiness and Investment Security (BIT, Stability Contracts and Dispute Settlement)

Chair: Martin Wenz

Panelists: Aitor Navarro

Alumni Rapporteur: Joaquin Kersman

10:30 – 10:45

Break

10:45 – 12:15

Panel VIII: Indirect Alienation of Immovable Property and PE Assets in Extractive Industries and Agribusiness

Chair: Felipe Yañez

Panelists: Gustavo Vettori

Alumni Rapporteur: Juliana Midori Kuteken

12:15 – 13:45

Lunch

13:45 – 15:00

Panel IX: Extra-Burden: Royalties, Windfall Taxes, and Unique Local Rules

Chair: Helena Trentini

Panelists: Felipe Yañez, Kaled Luyo, Jose Manuel Castro

Alumni Rapporteur: Lucas Poubel

15:00 – 16:15

Break

16:15 – 17:30

Panel X: Taxing the Owners of Extractive and Agribusiness enterprises: UHNWIs, Wealth Taxes, Global Transparency, and the Evolving Fiscal Landscape

Chair: Aitor Navarro

Panelists: Martin Wenz, Felix Martinez, Peter Denk

Alumni Rapporteur: Javier Caire

Wednesday, November 11th, 2026 – Location: IBDT

8:30 – 12:00

Moot Final

12:00 – 13:30

Lunch

13:30 – 14:00

Awards Ceremony – ITMC Winners Announcement

14:00 – 18:00

SEMINAR OF RESEARCHERS IN INTERNATIONAL TAXATION

IBDT / DEF-USP / OITI

14:00-16:00 Coaching Sessions (Block 1)

16:00-16:15 Coffee Break

16:15–18:00 Coaching Sessions (Block 2)

Panels´ Description
Navigating the Taxation in Extractives and Agribusiness

Panel I: Extractive Industries and Immovable Property: From the OECD to Tax Treaty Practice

Description: This panel explores the legal characterization of mining rights, licenses, and concessions as "immovable property" under Article 6 and Article 13 of the OECD and UN Models. Experts will discuss how treaty practice has evolved to ensure that the State where the resources are located (the Source State) retains primary taxing rights over the income and gains derived from the direct use or exploitation of the land and its subsoil.

Panel II: Permanent Establishment (PE) in Extractive and Agribusiness Industries: 2025 OECD Model and UN Model

Description: We examine how agribusiness activities (farming, livestock) trigger PE status and the administrative challenges of tracking short-term presence in offshore and remote locations, as highlighted by the ICMM. A deep dive into the 2025 Update to the OECD Model Tax Convention, specifically the new alternative provision for extractives. The discussion will contrast the OECD's 30-day threshold for relevant activities with the UN Model's approach.

Panel III: Service Fees Paid by PE or Subsidiaries to Non-Residents: Source, Deduction Limits, and Tax Treaty Qualification

Description: Large extractive and agro-industrial projects rely heavily on foreign technical and management services. This panel discusses the taxing rights over these fees, the implementation of Article 12A (UN Model) for Technical Service Fees (and other services articles), and the domestic law limits on the deductibility of such payments to prevent base erosion.

Panel IV: Transfer Pricing and Valuation of Agricultural and Mining Commodities

Description: Based on the "Missing Dollars" research and UN Handbook, this panel examines the complexities of the Arm's Length Principle in commodity trade. Topics include the "Sixth Method" (using quoted prices), the impact of trading hubs, and the specific challenges of valuing biological assets in agribusiness and unrefined minerals in mining.

Panel V: Domestic Anti-Abuse Approaches in International Tax Issues, Including Agribusiness and Extractive Industries

Description: This panel addresses the domestic legislative and administrative mechanisms designed to counter international tax avoidance and aggressive tax planning within resource-rich sectors. As agribusiness and extractive industries rely heavily on cross-border supply chains, intangible assets, and complex financing structures, tax administrations in developing and emerging economies face significant base erosion risks. This session bridges national anti-abuse rules with international tax treaty obligations, evaluating their application, limitations, and interactions.

Panel VI: VAT in Extractives and Agribusiness: The Refund Challenge
Description: Drawing from the IMF Working Paper (2023), this panel discusses why the VAT is often "broken" in the extractive sector. We will analyze the problem of massive VAT refunds for exporters, the "second-best" policy options (like import exemptions or zero-rating domestic supplies), and the specific VAT regimes for agricultural inputs and machinery.

Panel VII: Preferential Regimes for Extractives and Agribusiness
Description: A critical review of tax incentives, including "Tax Holidays" and simplified regimes (like the Single Agricultural Tax). The panel will discuss whether these incentives actually attract investment (as seen in the Brazil case study) or merely erode the tax base, especially in light of the new Global Minimum Tax (Pillar Two) environment. It also deals with how do Bilateral Investment Treaties (BITs) and Stability Clauses limit a State's ability to change its tax laws? This panel explores the intersection of international investment law and taxation, focusing on "stabilization" mechanisms in mining contracts and the risks of Investor-State Dispute Settlement (ISDS) triggered by radical tax reforms. Comments about Argentina and Chile preferential regimes can be interesting in this panel.

Panel VIII: Indirect Alienation of Immovable Property and PE Assets in Extractive Industries and Agribusiness
Description: This session addresses "Offshore Indirect Transfers" (OITs). We will analyze the application of Article 13(4) regarding the sale of shares in companies whose value is derived principally from immovable property (mines or agricultural land). The panel will review recent case law and the IGF/UN guidance on preventing tax avoidance through multi-tiered international holding structures. This panel will also address the taxation of assets tokenization.

Panel IX: Extra-Burden: Royalties, Windfall Taxes, and Unique Local Rules
Description: This session analyzes fiscal instruments beyond Corporate Income Tax but with possible effects on articles 2 and 24 of the OECD Model. We will discuss the economic rationale for royalties, the recent surge in "Windfall Profits Taxes" during commodity price spikes, and controversial local measures, such as the non-deductibility of mineral royalties, the special rate for extractive industries wealth tax for companies, and export taxes, all those measures adopted in Colombia under the Petro administration and its impact on international investment protection. This panel will also analyze the concept and quantification of royalty payments required for governments for the exploitation of non-renewable sources, particularly in Perú, Chile, Brazil and Colombia.

Panel X: Taxing the Owners of Extractive and Agribusiness enterprises: UHNWIs, Wealth Taxes, Global Transparency, and the Evolving Fiscal Landscape
Description: This panel will examine the shifting paradigm of wealth management and structural planning for Ultra-High-Net-Worth Individuals (UHNWIs) in an era of unprecedented global tax scrutiny and the proposals for wealth taxes around the world.