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TAX EVASION PROBLEMS: PROSPECTS FOR OVERCOMING

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ПРОБЛЕМИ УХИЛЕННЯ ВІД СПЛАТИ ПОДАТКІВ: ПЕРСПЕКТИВИ ПОДОЛАННЯ

The stable functioning of the state is impossible without an effective tax system that ensures budget revenues and the financing of key areas of public life education, healthcare, defense, infrastructure, and others. However, in practice, tax revenues are often diminished due to the negative phenomenon of tax evasion. This article aims to provide a comprehensive analysis of the problem of tax evasion, including its causes, forms of manifestation, negative consequences for the national economy, and to identify prospects for overcoming this phenomenon. Tax evasion remains one of the key issues hindering the sustainable development of Ukraine's economy and the adequate financing of public needs. An analysis of the causes of this phenomenon shows that they are both objective and subjective. High tax burdens, the complexity and inconsistency of tax legislation, distrust in the effective use of budget funds, a low level of tax culture, and a significant share of the shadow economy create favorable conditions for widespread tax evasion. At the same time, subjective factors such as the desire to maximize profit, the prevalence of impunity, and insufficient moral and ethical oversight further reinforce this phenomenon. The prospects for overcoming the problem lie in a comprehensive approach that includes increasing public financial and legal awareness, fostering a culture of integrity, ensuring the inevitability of punishment for tax violations, and implementing a policy of equality before the law. It is also important to enhance the transparency of the budgetary process and strengthen citizens' trust in state institutions. The implementation of such measures will contribute to improving the efficiency of the tax system, reducing the scale of the shadow economy, and, consequently, enhancing economic stability and social justice in Ukraine. The prospects for further research lie in the development of integrated mechanisms to enhance tax culture, improve legislation, and strengthen trust in state institutions, thereby effectively combating tax evasion in Ukraine.

Стабільне функціонування держави неможливе без ефективної податкової системи, яка забезпечує надходження до бюджету та фінансування ключових сфер суспільного життя— освіти, охорони здоров'я,

оборони, інфраструктури тощо. Втім, на практиці податкові надходження часто зменшуються через таке негативне явище, як ухилення від сплати nodamkis... Метою статті ϵ всебічний аналіз проблеми ухилення від сплати податків, зокрема її причин, форм прояву, негативних наслідків для економіки держави, а також визначення перспектив подолання цього явища. Ухилення сплати податків залишається однією з ключових проблем, перешкоджають сталому розвитку економіки України та забезпеченню належного фінансування суспільних потреб. Аналіз причин цього явища показує, що вони мають як об'єктивний, так і суб'єктивний характер. Високе податкове навантаження, складність і суперечливість податкового законодавства, недовіра до ефективності використання бюджетних коштів, низький рівень податкової культури та значна частка тіньової економіки створюють сприятливі умови для масового ухилення від оподаткування. Водночас суб'єктивні чинники, такі ЯК прагнення максимізувати прибуток, поширення прикладів безкарності та недостатній морально-етичний контроль, посилюють це явище.

Перспективи подолання проблеми полягають у комплексному підході, який включає підвищення фінансової та правової обізнаності населення, формування культури доброчесності, забезпечення невідворотності покарання за податкові правопорушення, а також реалізацію політики рівності перед законом. Важливо також підвищувати прозорість бюджетного процесу та зміцнювати довіру громадян до державних інституцій. Впровадження заходів сприятиме таких підвищенню ефективності податкової системи, зменшенню масштабів тіньової економіки і, як наслідок, зміцненню економічної стабільності та соціальної справедливості в Україні. Перспективи подальших досліджень полягають у розробці інтегрованих механізмів підвищення податкової вдосконаленні законодавства та зміцненні довіри до державних інститутів для ефективного подолання ухилення від сплати податків в Україні.

Keywords: effective tax system; taxes; economic behavior of business entities; high level of tax burden; public welfare.

Ключові слова: ефективна податкова система; податки; економічна поведінка суб'єктів господарювання; високий рівень податкового навантаження; добробут населення.

Problem statement. The stable functioning of the state is impossible without an effective tax system that ensures budget revenues and the financing of key areas of public life — education, healthcare, defense, infrastructure, and others. However, in practice, tax revenues often suffer losses due to the negative phenomenon of tax evasion..

According to estimates by the Ministry of Finance of Ukraine, the annual budget losses from the shadow economy and tax abuses range from 5 to 10% of GDP. Furthermore, data from the State Tax Service of Ukraine indicate that in 2023, over 4,000 cases of tax violations were detected, a significant portion of which were related to deliberate tax evasion. Tax evasion is not only a financial burden on the budget but also a social challenge that undermines citizens' trust in the state and creates unequal conditions for doing business.

International organizations, including the IMF and the OECD, also emphasize that tax evasion is the key obstacle to economic growth and budgetary stability in developing countries. In particular, research by Global Financial Integrity (GFI) regularly uncovers significant volumes of illicit financial flows from developing countries, most of which are linked to tax evasion, transfer pricing, trade manipulation, and money laundering.

So, during the period from 2004 to 2013, GFI estimated total losses due to illicit financial flows at \$6.6 trillion over 10 years. Annual losses showed a steady upward trend. The GFI report for 2014 indicated that developing countries illicitly transferred out \$991 billion, which amounted to approximately 4% of their total GDP. The GFI report for 2021 noted that developing countries saw an average illicit financial outflow of up to \$970 billion.

The majority of these flows were generated through manipulations in international trade, where companies artificially understate or overstate export/import prices to evade taxation. Such data highlight the scale of the problem and the need for a comprehensive approach to its resolution at both the national and international levels.

Analysis of research and publications. The problem of tax evasion has been addressed by scholars such as I. H. Biriukova, A. V. Honcharenko [1-2], O. Stepanenko, S. Travinska, and O. Mykhalska [3]. These researchers have primarily focused on analyzing foreign experience in preventing tax evasion, fees (mandatory payments), and their implementation into Ukrainian legislation.

At the same time, the study of the problems of tax evasion—particularly its causes, forms of manifestation, and negative consequences for the state's economy, as well as identifying effective prospects for overcoming this phenomenon at both national and international levels—requires further exploration.

Formulation of the article's objectives. Article aims to provide a comprehensive analysis of the problem of tax evasion, as well as to identify prospects for overcoming this phenomenon.

The paper main body. The authors emphasize that taxes are the primary source of revenue for the state budget. Their main function is to provide the financial foundation for the state to fulfill its responsibilities. Taxes finance social services (education, healthcare, social protection), infrastructure (transportation, energy, housing, and utilities), defense and security, the functioning of government bodies, environmental and cultural programs, and more.

In addition to their fiscal role, taxes perform regulatory, distributive, and incentive functions, influencing the economic behavior of business entities, investment activity, and the welfare of the population.

Thus, the widespread occurrence of tax evasion leads to serious negative consequences both for the country's economy as a whole and for individual areas of public life.

In agreement with the research of Omar Sanchez [5], tax evasion is defined as the deliberate violation of tax legislation to reduce or avoid tax obligations. Despite the established interpretation, this phenomenon arises under the influence of a variety of causes, which can be both objective (primary) and subjective (which exacerbate or deepen these causes). In fact, regarding cases of tax evasion, it is important to understand that each instance is a complex socio-economic phenomenon, and understanding the prospects for overcoming it is impossible without a comprehensive analysis that takes into account the various factors influencing taxpayer behavior.

Objective causes of tax evasion include: a high level of tax burden, which creates an economic incentive to seek ways to reduce it; the complexity and inconsistency of tax legislation; distrust in the effective use of budget funds; a low level of tax culture, historically shaped in Ukraine since Soviet times (when taxes had no transparent connection to public services, as well as due to prolonged economic instability, corruption, and distrust in authorities); and a large share of the shadow economy, which is systemic and creates an effect of "unfair competition [1; 6].

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World Bank studies indicate that complex and contradictory tax legislation creates significant obstacles for taxpayers, who are forced to spend considerable resources on understanding and complying with tax requirements. In Ukraine, frequent changes in tax laws and a lack of transparency are among the main reasons for the high level of tax evasion, as confirmed by numerous expert assessments from the analytical center "CASE Ukraine" and reports from the Reform Office under the Ministry of Finance of Ukraine.

It should be noted that such conditions contribute to the emergence of loopholes and gaps in legislation, which taxpayers use to legally or semi-legally reduce their tax liabilities. Among the main loopholes (see Table 1) are: differences in the interpretation of tax terms and provisions; the carryforward of previous years' tax losses; transfer pricing; double taxation or, conversely, double non-taxation; a complicated VAT refund procedure; and the use of "shell companies". As a result, the number of disputes between businesses and tax authorities increases, complicating effective tax control and tax collection.

Table 1. Legislative loopholes allowing taxpayers to reduce tax liabilities

Existing loopholes and gaps	Area creating loopholes and gaps
<u> </u>	Different interpretations of tax benefits, definitions of taxable objects, or VAT rates allow enterprises to choose the most advantageous schemes.
Carryforward of previous years' tax losses	Although the possibility to reduce the tax base by the amount of accumulated tax losses from the previous year is legal (according to subparagraph 140.4.4 of the Tax Code of Ukraine), its use sometimes enables deferring tax payments for long periods, which reduces budget revenues.
Transfer pricing	The use of agreements between related companies to artificially lower the level of tax revenues in the country where the multinational corporation is based (by shifting the main profits to other divisions located in countries with lower tax rates).
Double taxation or, conversely, double non-taxation	International treaties on the avoidance of double taxation (DTAs) can sometimes be used for tax evasion or tax planning, especially in cases where companies or individuals attempt to exploit loopholes within these agreements*
Complicated VAT refund procedure	Delays or difficulties in VAT refunds encourage enterprises to use schemes involving "fictitious" import or re-export.
Use of "shell companies"	Companies that exist only formally help conceal actual income and reduce tax liabilities.**

Note:

Source: compiled based on [1; 3-4]

One of the key subjective reasons for tax evasion is the distrust of citizens and businesses in how the state manages the collected taxes. If taxpayers do not perceive the impact of their contributions on public services, infrastructure, healthcare, or education, their willingness to fulfill tax obligations honestly decreases significantly [6]. This problem is particularly acute in Ukraine. According to sociological surveys, including those conducted by the Kyiv International Institute of Sociology (KIIS), the majority of respondents believe that a significant portion of budget funds is either used inefficiently or embezzled. A

^{*} Specifically, companies may structure their operations through countries with favorable treaties to reduce their overall tax burden; a company may establish an intermediary in a treaty country solely to benefit from the treaty's advantages without having real economic activity there; a company or individual entrepreneur may be formally registered in a country with preferential conditions but actually conducts business or earns income in another state.

^{**} Through these companies, tax optimization is achieved using methods such as double taxation treaties and income redirection. This often involves concealing the true ownership of assets and transferring a portion of the income to low-tax jurisdictions.

high perception of corruption, inefficiency in public procurement, and a lack of transparency in budget allocation all contribute to the belief that taxes do not bring real benefits to society.

Among the reasons for tax evasion is the underdeveloped system of values, beliefs, norms, and attitudes in society regarding the necessity and importance of paying taxes as a civic duty. This includes both taxpayers' legal awareness and their level of knowledge about tax legislation. In Ukraine, tax culture has traditionally been at a low level. This is reflected in the following points:

- People perceive taxes as a loss instead of a contribution to the common good.
- There is a lack of awareness among citizens and entrepreneurs regarding their tax rights and obligations.
- Many individuals are hesitant to voluntarily declare their income and pay taxes.
- Tax evasion is often justified by a distrust in the state, concerns about corruption, or the perceived "unfairness" of the tax system.

According to research results, including those from the Institute of Sociology of the National Academy of Sciences of Ukraine, the majority of respondents consider taxes to be excessive, do not understand how the budget is formed, and do not associate paying taxes with the quality of services they receive.

Among the reasons for tax evasion is economic activity conducted in violation of current legislation and not reflected in official statistics. This includes undeclared employment, unreported income, cash-in-envelope payments, smuggling, fictitious transactions, the use of "shell" companies, and more. In Ukraine, the shadow economy traditionally accounts for a very high share.

According to estimates by the Ministry of Economy of Ukraine, nearly half of economic activity is untaxed, creating serious challenges for budget revenue collection and maintaining economic stability.

In our opinion, among the measures to address the problems corresponding to the objective causes of tax evasion (see Table 2) are:

- optimizing the tax burden;
- simplifying and stabilizing tax legislation;
- increasing transparency and efficiency in the use of budget funds;
- fostering a tax culture;
- eliminating opportunities for tax evasion through transfer pricing.

Table 2. Directions for addressing issues corresponding to objective causes of tax evasion

Directions for addressing problems	Конкретні заходи,що сприятимуть усуненню проблем, що відповідають об'єктивним причинам ухилення від сплати податків
Optimization of the tax burden	Introduction of a fair and economically justified level of taxation, taking into account the payment capacity of businesses and citizens.
	Transition to progressive income taxation, which will help reduce the pressure on small and medium-sized businesses.
	Provision of tax incentives for investments, innovations, and the formalization of the shadow economy.
Simplification and stabilization of tax legislation	Unification and harmonization of tax regulations, elimination of legal conflicts in tax legislation.
	Adoption of a stable Tax Code with a long-term horizon.
	Implementation of interactive services that simplify tax reporting and administration.
Increasing transparency and efficiency in the use of budget funds*	Development of mechanisms for public oversight of government expenditures.
	Transparency of budget information through portals such as the "E-data" portal, "Open Budget," ProZorro, and others.
	Strengthening personal responsibility of officials for inefficient or corrupt use of funds.
Development of tax culture	Introduction of tax education in schools and universities, conducting awareness campaigns.
	Systematic informing of citizens about the importance of taxes and the connection between tax payments and the quality of public services.
	Creating a positive image of a conscientious taxpayer, in particular through media and public examples.

Directions for addressing problems	Конкретні заходи,що сприятимуть усуненню проблем, що відповідають об'єктивним причинам ухилення від сплати податків
Elimination of opportunities for tax evasion	Eliminating opportunities for tax evasion through transfer pricing involves the implementation of the CRS standards — an international standard approved by the OECD Council that requires countries to collect information
through transfer pricing	about the financial accounts of owners in financial institutions and automatically exchange this information annually with partner jurisdictions by the Multilateral Competent Authority Agreement on Automatic Exchange of Information [3].

Note:

*The state can openly report on the use of budget funds through systematic, accessible, and transparent tools that ensure public oversight and accountability. The more transparent the process of budget fund utilization is, the higher the level of citizens' trust in the government, and the fewer incentives there are for tax evasion.

Source: compiled based on [1-2; 5]

These measures must work together comprehensively, as only systemic changes can significantly reduce tax evasion and improve the efficiency of the tax system.

Subjective factors that contribute to tax evasion include: the desire to increase profits at any cost; examples of impunity within society; and weak social oversight.

Some entrepreneurs deliberately evade paying taxes, driven by the goal of maximizing their profits without regard for the social consequences. This mindset is typical of economic behavior where ethics and the law are subordinated to self-interest. In conditions of weak oversight and low likelihood of punishment, this becomes a common practice for many.

Cases, where well-known public figures, officials, or large companies use complex tax optimization schemes without facing legal consequences, create a persistent sense of tax injustice in society. In Ukraine, according to numerous investigative journalism projects (such as Bihus.Info, "Our Money", "Skhemy" by Radio Svoboda, as well as the OCCRP — Organized Crime and Corruption Reporting Project), such practices of tax evasion were quite widespread before the full-scale Russian invasion.

Specifically, investigations by Bihus.Info have repeatedly exposed schemes involving shell companies, the use of offshore accounts, and the abuse of tax incentives in Ukraine. These investigations included cases related to smuggling, and tax evasion by large companies, and political elites. Journalists from the "Our Money" project investigated cases of money being moved abroad through networks of shell companies connected to influential business groups and political figures. The "Skhemy" project (Radio Svoboda) highlighted cases of complex chains of shell companies used to conceal real owners and minimize tax payments. Investigations by the OCCRP (Organized Crime and Corruption Reporting Project), in cooperation with Ukrainian media, took part in uncovering offshore schemes and corrupt practices. At the same time, the lack of published results from investigations, audits, or accessible information regarding the prosecution of individuals following the publication of journalistic reports demoralizes honest taxpayers and reinforces the belief that the tax burden in Ukraine is unevenly distributed.

Despite the efforts of the National Anti-Corruption Bureau of Ukraine (NABU), the State Tax Service (STS), the State Bureau of Investigation (SBI), as well as an increase in the number of criminal proceedings initiated, indictments issued, and court verdicts delivered, the effectiveness of investigations into economic crimes — particularly tax evasion — remains insufficient. This indicates the presence of significant gaps in the mechanisms for holding individuals accountable for tax violations.

In our opinion, among the directions for addressing the issues corresponding to the aforementioned subjective causes of tax evasion, it is advisable to highlight the following (see Table 3):

- increasing the level of financial and legal awareness among the population, fostering a culture of integrity;
 - ensuring the inevitability of punishment for tax violations;
 - implementing a policy of equality before the law.

Table 3. Directions for addressing issues corresponding to subjective causes of tax evasion

Directions for addressing problems	Specific measures that will contribute to addressing the problems corresponding to the subjective causes of tax evasion.
financial and legal	Introduction of mandatory financial literacy courses in schools and higher education institutions, along with nationwide public information campaigns on the importance of paying taxes; development of online platforms that explain tax legislation in simple terms.
Fostering a culture of integrity	Promotion of positive examples of honest business practices*, and the maintenance by the State Tax Service of public rankings of conscientious taxpayers (currently, only periodic publications of TOP-100 largest taxpayers by industry** are available).
inevitability of	Strengthening the analytical and operational capacities of the Economic Security Bureau (ESB), the National Anti-Corruption Bureau of Ukraine (NABU), and the State Tax Service (STS); publishing information on the progress of investigations and verdicts in high-profile cases; and utilizing IT systems for automated detection of tax evasion schemes.
	Ensuring transparency and independence of tax audits, eliminating political influence on fiscal and anti-corruption authorities; increasing the accountability of officials for selective law enforcement.

Note:

*For example, Rozetka, Nova Poshta, ATB, Kernel, and DTEK are companies that publicly declare large tax payments, comply with tax discipline, and invest in Ukraine. *For instance, in 2023, the largest taxpayers were Naftogaz, Metinvest, Ukrnafta, and Energoatom.

Subjective factors shape an environment in which tax violations become a common practice, significantly weakening the effectiveness of the tax system. The primary task of the state is to create conditions under which paying taxes is not only an obligation but also an honorable and beneficial choice for citizens and businesses [4].

Conclusions. Tax evasion remains one of the key problems hindering the sustainable development of Ukraine's economy and the proper financing of public needs. Analysis of the causes of this phenomenon shows that they are both objective and subjective in nature. High tax burden, complexity and contradictions in tax legislation, distrust in the effective use of budget funds, low levels of tax culture, and a significant shadow economy create favorable conditions for widespread tax evasion. At the same time, subjective factors such as the desire to

maximize profit, the prevalence of examples of impunity, and insufficient moral and ethical oversight exacerbate this phenomenon.

The prospects for overcoming the problem lie in a comprehensive approach that includes increasing the financial and legal awareness of the population, fostering a culture of integrity, ensuring the inevitability of punishment for tax offenses, and implementing a policy of equality before the law. It is also important to enhance the transparency of the budgetary process and strengthen citizens' trust in state institutions. The implementation of these measures will contribute to improving the efficiency of the tax system, reducing the scale of the shadow economy, and, consequently, strengthening economic stability and social justice in Ukraine.

The prospects for further research lie in the development of integrated mechanisms to enhance tax culture, improve legislation, and strengthen trust in state institutions for the effective overcoming of tax evasion in Ukraine.

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