

Local content requirements in the renewable energy sector: Ukraine's scheme and the relevant WTO rules

Starting on 1 July 2013, enterprises operating in the Ukrainian renewable energy sector need to satisfy a local content requirement (hereinafter, LCR) in order to benefit from the '*green tariff*', a scheme that allows generators of renewable energy to obtain higher prices for the electricity that they feed into the Ukrainian energy grid. The new measure was introduced as an amendment to the Law of Ukraine '*On Electric Power Industry*' (hereinafter, the Law) and it is applicable to renewable energy facilities using wind power, solar energy, biomass and biogas.

According to the Ukrainian LCR, a certain share of equipment in a renewable energy generation facility should be of Ukrainian origin. The National Commission for State Energy Regulation (NERC) has elaborated the '*Procedure for Calculation of the Local Content Requirement No. 744*' (hereinafter, the Procedure), containing the test for compliance with '*Ukrainian origin*'. For each type of renewable energy facility, Ukraine's legislation indicates the overall minimum share of local content, ranging between 30% and 50% of the equipment and construction works performed in the facility, which needs to be reached in order to benefit from the '*green tariff*' scheme. For the purposes of compliance with such thresholds, the Law lists the relevant inputs (parts and works) that are '*eligible*' for the domestic content requirement and allocates a determined weight (expressed in percentage of the total sum of elements in the facility) to each input. For example, the blades of a wind power plant account for 15% of parts in total, while construction works are estimated at a 20% share under Ukrainian legislation. Investors need to ensure that the overall sum of parts and/or works of Ukrainian origin meets the minimum threshold of LCR set by the Law. The Procedure defines '*Ukrainian origin*' as the origin of inputs used in the renewable energy facilities that are produced, assembled or performed in Ukraine.

The legislators explicitly excluded from the LCR the projects where construction works were commenced prior to 1 January 2012, in order to guarantee predictability of the Ukrainian renewable energy market from the perspective of foreign and domestic investors. In addition, for projects that are subject to the LCR, the Law sets different thresholds of LCR according to the date of commencement of operations of the facility. For example, the LCR for renewable energy facilities using wind power, solar energy and biomass, which commenced their operations after 1 July 2013 is 30%, while for those that will begin their operations after 1 July 2014 the LCR should be not less than 50%. The drafters also took into account the peculiarities of each renewable energy sector, including factors such as costs of operation and price and availability of the equipment on the Ukrainian market, which may influence the ability of enterprises to meet the '*Ukrainian origin*' requirement, introducing flexibilities such as, for example, an extended period of application (up to 1 January 2015) for reduced LCR of 30% in facilities using biogas.

Local content requirements are used by governments to promote domestic production and innovation in the renewable energy sector. Due to the overall higher costs of operation for

renewable energy facilities, as compared to conventional atomic or thermal power plants, this type of domestic support is often seen as a needed step towards the development of a successful domestic renewable energy manufacturing industry. However, LCRs may also be perceived as trade distortive measures and may run afoul of WTO rules.

WTO 'case law' has developed over the years concerning LCRs. In two unified disputes, *Canada – Renewable Energy* and *Canada – Feed-in Tariff*, both Japan and the EU challenged a LCR applied by the province of Ontario in the renewable energy sector. According to the '*Minimum Required Domestic Content Level*' established under the Canadian Feed-in Tariff Program (hereinafter, the FIT Program) in the province of Ontario, investors needed to comply with a minimum of 50% of local content for on-shore wind facilities and 60% for solar facilities (see Trade Perspectives, Issue No.12 of 17 June 2011). The Panel established that the measure was inconsistent with Article III:4 of General Agreement on Tariffs and Trade (hereinafter, GATT) as well as Article 2.1 of the Agreement on Trade Related Investment Measures (hereinafter, TRIMs Agreement), finding a violation of the national treatment obligation. Furthermore, the Panel found that Canada failed to establish that it is entitled to rely on Article III:8(a) of the GATT, which provides for a derogation from the national treatment obligation in cases of government procurement. The Panel stated that the application of the Canadian FIT Program included a '*commercial resale*' element, which precluded Canada to invoke Article III:8(a) of the GATT (for further background on the WTO Panel report, see Trade Perspectives Issue No. 1 of 11 January 2013). The WTO Appellate Body upheld the Panel's finding that the Canadian FIT Program was inconsistent with Canada's national treatment obligation under Article III:4 of the GATT, inasmuch as it granted less favourable treatment to imported equipment for renewable energy facilities, as compared to equipment produced by domestic firms. In addition, the Appellate Body upheld the finding that the programme also violated Article 2.1 of the TRIMs Agreement, which prohibits the application of any trade-related investment measures that are inconsistent with Article III of the GATT. The Appellate Body also clarified that the measures at hand were not covered by the national treatment exemption embodied under Article III:8 of the GATT (see Trade Perspectives Issue No. 10 of 17 May 2013).

Currently, Canada has reduced its '*Minimum Required Domestic Content Level*' to 20%, for on-shore wind facilities, and to 19%-28% for solar facilities depending on the type of technology used. The Canadian Government described its reduction as an '*interim step towards compliance*' refraining, however, from meeting the DSB recommendations immediately. Having reached an agreement with the EU on the reasonable period of time for implementation, which is set to expire on 24 March 2014, Canada essentially secured the allowance to maintain its LCR in place until the end of this period.

The application of LCRs in the renewable energy sector is becoming more and more widespread, being regarded as an effective policy for the promotion of renewable energy technologies through governmental assistance of domestic renewable energy industries. Governments use them to pursue such objectives as the withdrawal from hazardous atomic and thermal energy and boosting the overall environmental friendliness of their economies. However, the current WTO jurisprudence shows that challenges of such measures will likely increase in the future. Apart from the dispute related to the Canadian FIT Program, the US recently filed a request for consultations concerning the application by India of a LCR in the solar energy industry. Therefore, it is advisable for WTO Members adopting or considering to adopt measures that contain LCRs in order to foster their renewable energy sectors to closely follow the above-mentioned disputes and to be fully aware of the latest WTO developments so that lengthy, costly and legally complex litigation may be avoided both in Geneva and domestically.

The recent Japan-US organic equivalency arrangement may raise some WTO-related questions, but is still a positive step in global trade facilitation

On 26 September 2013, officials from Japan's Ministry of Agriculture, Forestry and Fisheries (hereinafter, MAFF), the United States Department of Agriculture (hereinafter, USDA) and the United States Trade Representative (hereinafter, USTR) announced the signing of an organic equivalency agreement between the two countries. The arrangement could raise some issues of WTO-consistency, but still represents another step towards freer trade between Japan and the US, and may act as a stepping stone for multilateral trade facilitation.

Standards arrangements of this sort are typically referred to as either recognition or equivalency arrangements. In 2001, Japan's MAFF and the USDA signed a one-way export arrangement where Japan recognised American products certified under the USDA National Organic Program (hereinafter, NOP). However, these products still required a Japanese Agriculture Standards (hereinafter, JAS) seal, which could only be applied by JAS inspectors. Additionally, the arrangement did not allow importation of products with *lignin sulfonate*, a substance used by fruit producers in post-harvest processing, or *alkali-extracted humic acid*, a fertiliser. The re-labelling requirements, and the relatively narrow scope of the goods included, resulted in limited market access for many organic producers in the US. The new two-way equivalence arrangement substantially opens both markets. The arrangement was signed through the use of two letters, one sent by each part to the other. Both letters include an identical 'Appendix 1', which provides the details of the arrangement. Prior to signing the agreement, both countries' respective regulators performed comprehensive on-site audits to ensure that the national programme regulations had equivalent levels of compliance. The new agreement applies to all organic products grown, processed, or packaged (where final processing occurs) in Japan or the US and certified by an accredited certifying agency in either country. Reports suggest that the new agreement was finally reached when Japan agreed to include products with *lignin sulfonate* or *alkali-extracted humic acid* within the scope of certified organic products. As a result, the new equivalency agreement represents a step forward in trade facilitation, as reports also indicate that it is the first organic standards agreement with no 'critical variances' (i.e., express limitations or exclusions).

Organic standards agreements have increased in popularity as efforts relating to trade facilitation have shifted from the reduction of tariff rates to concerns regarding non-tariff measures. Numerous countries are now party to these types of agreements, but arguably none are as progressive as the new Japan-US equivalency arrangement. For example, the US-EU Organic Equivalence Arrangement, which came into effect 1 June 2012, includes several 'critical variances'. The EU complied with the arrangement by passing *Regulation (EU) No. 126/2012 of 14 February 2012 amending Regulation (EC) No. 889/2008 as regards documentary evidence and amending Regulation (EC) No. 1235/2008 as regards the arrangements for imports of organic products from the United States* (for more information on this arrangement, see Trade Perspectives, Issue No. 4 of 24 June 2012). The first 'critical variance' is that organic aquatic animals may not be exported to the US. Additionally, the agreement includes limitations on exports from both countries relating the use of antibiotics. However, the EU and the US are reportedly discussing the inclusion of standards reforms in the Transatlantic Trade and Investment Partnership (TTIP), which is currently being negotiated by both parties. The EU and US have gone as far as contemplating the creation of a transatlantic joint regulatory committee in an effort to harmonise technical regulations and standards.

The Japan-US organic equivalency arrangement raises some interesting WTO-related questions. According to the most-favoured nation (MFN) principle in Article I of the GATT,

WTO Members must accord any privilege granted to the products imported from any one country to all 'like' products from all other Member countries. To reach the organic equivalency arrangement with the US, Japan agreed to allow products with *lignin sulfonate* or *alkali-extracted humic acid* to be sold as organic in Japan. In Japan, the JAS does not currently grant organic certification to products with these substances and the allowance of US products with those substances may be an exception. As a result, it is possible that JAS will deny organic certification to products from third countries if they contain those substances. Thus, some third country 'like' organic products may be discriminated against in relation to similar products grown, processed or packaged in the US. However, this hypothetical situation will be dependent on whether Japan amends its current organic standards and the manner in which it applies its certification process.

Organic product standards also raise an interesting WTO question relating to the Agreement on Technical Barriers to Trade (hereinafter, the TBT Agreement) and the Agreement on Sanitary and Phytosanitary Measures (hereinafter, the SPS Agreement). There is some uncertainty as to whether organic product standards fall within the scope of the SPS Agreement or the TBT Agreement. According to the SPS Agreement, WTO Members have the right to take SPS measures '*necessary for the protection of human, animal or plant life or health*'. The TBT Agreement covers standards, technical regulations and conformity assessments outside the scope of the SPS Agreement. Many organic standards require limited levels of residues from pesticides or other chemicals, arguably to protect human health. On the other hand, are these limits really for the purposes of protecting human health when failure to meet the standard does not result in an actual ban of the product? Most likely, organic labelling requirements would be considered marketing tools, and thus regulated under the TBT Agreement as measures relating to consumer interests.

Though the answers to some WTO-related questions may be uncertain, statistics suggest that the effects of standards arrangements are undoubtedly positive. The USDA stated that the EU-US Equivalency Agreement has increased European sales of organic wines and olive oils. Generally, organic products have seen sales rise 4 to 5% a year and now account for more than USD 30 billion in annual sales. With the new agreement, annual sales of organic products to Japan are estimated to increase from USD 80 million to USD 250 million over the next 10 years. In its announcement, the USDA added that it is considering a similar agreement with South Korea and possible future agreements with Brazil, India and Mexico. Logically, as countries agree bilaterally on equivalency arrangements, similar multilateral agreements can be reached with minimal effort. For example, inasmuch as the EU and the US have equivalent organic products standards, and Japan and the US have equivalent organic products standards, the EU and Japan should '*by default*' have equivalent organic products standards or an easier task at recognising this equivalency and concluding a similar agreement. Interested parties should review agreements to which their country is a party and examine whether a similar result should be pursued with other relevant countries.

The ASEAN process of setting MRLs for pesticides in the light of Codex Alimentarius, the WTO and the EU

At the 35th meeting of the ministers of agriculture and forestry of the members of the Association of Southeast Asian Nations (hereinafter, ASEAN) held on 26 September 2013 in Kuala Lumpur, Malaysia, ASEAN Ministers reviewed cooperation in the areas of food, agriculture and forestry. In the area of '*Cooperation on Sectoral and Priority Issues*', a document titled '*List of Maximum Residue Limits (MRL) for six pesticides*' was endorsed in order to provide a basis for ASEAN joint approaches in the food, agriculture and forestry sectors and to facilitate trade of agricultural products in the region and beyond. This document concerns the setting of ASEAN harmonised maximum residue limits (hereinafter,

MRLs) for the following pesticides in the following commodities: i) *carbofuran* (in asparagus); ii) *carbosulfan* (in asparagus) iii) *fenvalerate* (in Chinese broccoli, *i.e.*, *brassica oleracea var. alboglabra*); iv) *fipronil* (in yard long bean); v) *chlorpyrifos* (in immature soybean); and vi) *azoxystrobin* (in carambola, *i.e.*, star fruit). The ASEAN Ministers of agriculture and forestry agreed to support the recommendation for ASEAN Member States (hereinafter, AMSs) to adopt ASEAN MRLs as part of the national regulatory framework and to submit ASEAN Supervised Pesticides Residue Field Trials (SPRT) data to the Joint FAO/WHO Meeting on Pesticide Residues (JMPR) in order to enable the recognition of ASEAN MRLs as Codex MRLs.

The development of ASEAN benchmark standards raises a number of interesting legal aspects. The ASEAN is an inter-governmental organisation of ten countries located in Southeast Asia, including Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam. ASEAN is not a customs union, like the EU. The ASEAN Charter provides in Article 20(1) that '*[a]s a basic principle, decision-making in ASEAN shall be based on consultation and consensus*'. Though AMSs make decisions through consensus, AMSs are entrusted with adopting corresponding internal regulations independently, as opposed to the system seen in the EU, where adopted legislation is immediately imposed on all EU Member States, either by Directives or Regulations. Therefore, the development of ASEAN benchmark standards act as non-binding guidelines to AMSs.

The process of regional (ASEAN) standardisation on MRLs is also of interest in the light of the *Codex Alimentarius* standard-setting and regionalisation process. The ASEAN Ministers agreed to submit data to the Joint FAO/WHO Meeting on Pesticide Residues (hereinafter, JMPR) in order to enable the recognition of ASEAN MRLs as *Codex* MRLs. The JMPR serves as a scientific advisory body to the Food and Agriculture Organisation of the United Nations (hereinafter, FAO), the World Health Organisation (hereinafter, WHO), to FAO and WHO member Governments, and to the *Codex Alimentarius*. The structure of the *Codex Alimentarius*, a joint body of the FAO and WHO, consists of the Commission, the Executive Committee and the subsidiary bodies. The Commission is the supreme decision making body and provides a *forum* for discussion and debate on all major food standards/safety issues of interest and concern to *Codex* Member States. The task of developing international standards for commodity and general subject areas is spread across specific technical committees. Under its Rules of Procedure, the Commission is empowered to establish two kinds of subsidiary bodies: *Codex* Committees for the preparation of draft standards for submission to the Commission (classified as either General Subject Committees or Commodity Committees); and Coordinating Committees for regions or groups of countries to coordinate food standards activities in the region, including the development of regional standards.

There are ten such General Subject Committees, including the Committee on Pesticide Residues, hosted by China, whose work has relevance for all Commodity Committees and, because this work applies across the board to all commodity standards, they are sometimes referred to as '*horizontal committees*'. There are six Coordinating Committees for Africa, Asia, Europe, Latin America and the Caribbean, Near East and North America and South West Pacific. Coordinating Committees play an important role in ensuring that the work of the Commission is responsive to regional interests and to the concerns of developing countries. The *Codex Alimentarius* has so far adopted more than 200 food commodity standards, more than 40 hygiene and technological codes of practice or guidelines, and more than 3,200 MRLs for about 225 pesticides and veterinary drugs. Further to a number of regional codes of practice, 14 regional standards have been adopted so far by *Codex Alimentarius* for the following commodities: *canned humus* with *tehena*, *canned foul medames*, *tehena*, *gochujang*, *ginseng* products, fermented *soybean* paste, edible *sago*

flour, *culantro coyote*, *lucuma*, *chili* sauce, *harissa* (Red Hot Pepper Paste), *halwa tehenia*, *temple* and *date* paste.

However, the *Codex* Standard (CAC/MRL 1) for MRLs for pesticides, adopted in 2009, is a global and '*horizontal*' standard. There are no specific regional standards for MRLs. The difference between a regional and global standard is basically dictated by whether or not there is '*significant intra-regional trade*' vis-à-vis '*significant trade, between or within other regions*'. There appears to be no *Codex* Decision with established criteria or any guidance on the requirements for proposing either a regional or a worldwide *Codex* standard. When proposing a regional standard, well-documented and objective evidence must be provided that there is significant intra-regional trade and that there is no significant trade between or within other regions. In case there is substantial production and trade of a regional commodity in countries outside the region, the elaboration of a global standard should be taken into account. It appears that the submission of ASEAN Supervised Pesticides Residue Field Trials data to the JMPR, in order to enable the recognition of ASEAN MRLs as *Codex* MRLs, would only make sense for the establishment of global *Codex* MRLs.

Applying Article 3 of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) in the area of food safety and Article 2.4 of the TBT Agreement, the WTO relies on standards developed by the *Codex Alimentarius*. Therefore, standards for pesticide residues established by the *Codex Alimentarius* are the reference points in international trade. Once accepted, *Codex* members are expected to implement these MRLs in national law. Assuming that that ASEAN develops regional MRLs for, e.g., *carbofuran* in asparagus and that this standard is then not implemented by one of the AMSs, which could decide to apply a much stricter MRLs, the questions would be whether this would result in (*de facto* if not *de jure*) barriers to trade and what legal value should be given to the ASEAN MRL of *carbofuran* in asparagus if another AMS (or even a WTO Member) were to bring a dispute. Deviations from *Codex* MRLs are possible, but have to be substantiated with scientific evidence. The number of pesticides with *Codex* MRLs is limited. The EU, *inter alia*, established pesticide MRLs for around 500 specific pesticides. This shows that there is no global harmonisation of MRLs via the *Codex Alimentarius*.

The ASEAN process of *de facto* regionalisation is much desired and welcome. However, AMSs must be aware that, when they decide on regional benchmark standards, those benchmarks will become international standards that all AMSs may be held accountable to in terms of trade and in light of the disciplines of the SPS and TBT Agreements. The ASEAN process, albeit not being that of the mainstream standards setting organisations (*i.e.*, *Codex Alimentarius*, WHO, OIE, IPPC, etc.), appears to be intended to create regional and, therefore, international standards. In all areas of ASEAN standardisation, especially where there may not be an existing international standard, ASEAN would become an additional level of (regional and, therefore, international) standardisation.

A comparison of the ASEAN harmonisation process with the one in the EU is also of interest. In the past, EU Member States had their own MRLs for residues of pesticides in food. Because this frequently led to trade problems between EU Member States, in the 1970s the EU began harmonising MRLs. Four EU Directives were adopted for implementation in the EU Member States: *Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables*, later followed by *Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals*, *Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin*, and *Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables*. On 23 February 2005, the European Parliament and of the Council adopted *Regulation (EC) No. 396/2005 on maximum residue levels of pesticides in or on food and feed of plant and*

animal origin, which is directly applicable and no longer needs to be implemented nationally by EU Member States. This regulation repealed all previous EU and national legislation on MRLs for residues of pesticides. Currently, MRLs are only established at EU level. For all substances for which no specific MRLs are established in the Annexes of the 1766-pages strong Regulation (EC) No. 396/2005, a default MRL of 0.01 mg/kg applies, according to Article 18(1)b) of such Regulation.

In relation to the proposed ASEAN MRLs in certain commodities, the following must be noted and is of particular relevance for trade of products originating in the AMSs to the EU. For *carbofuran* in asparagus, an MRL of 0.01 mg/kg applies (this indicates a lower limit of analytical determination, hereinafter, LOD) in the EU. *Carbofuran* is no longer authorised to be used in plant protection products in the EU according to *Commission Decision 2007/416/EC concerning the non-inclusion of carbofuran in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance*. Also, for *carbosulfan* in asparagus, the EU applies an MRL of 0.01 mg/kg (at the LOD). The use of plant protection products containing *carbosulfan* is no longer authorised in the EU, according to *Commission Decision 2007/415/EC concerning the non-inclusion of carbosulfan in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance*. An MRL of 0.02 mg/kg (also at the specific LOD) is established for *fenvalerate* in Chinese broccoli. Similar to *carbofuran* and *carbosulfan*, the use of plant protection products containing *fenvalerate* is also no longer authorised in the EU under *Commission Decision 98/270/EC concerning the withdrawal of authorisations for plant protection products containing fenvalerate as an active substance*. Plant protection products containing *fipronil*, *chlorpyrifos* and *azoxystrobin* are still authorised in the EU. However, the MRLs for the commodities proposed by ASEAN are all set at the respective LOD (0.005 mg/kg for *fipronil* in yard long beans, 0.05 mg/kg for *chlorpyrifos* in soybean and 0,05 mg/kg for *azoxystrobin* in *carambola*). In essence, the application of the specific MRLs for the pesticides/commodities combinations proposed by ASEAN appears not be aligned with the MRLs established in EU law and may be problematic for purposes of trade with the EU. Commodities treated with those pesticides will most likely exceed the specific EU's MRL set at the LOD and may be rejected at the EU borders.

The conclusion is that, if ASEAN sets a benchmark ASEAN standard applicable within the region (*i.e.*, an international standard), all AMSs must be actively involved in the standards-setting process and aware of the consequences of adopting such a benchmark and of possible non-conformance. Companies, trade associations and the industry in general must be involved and assist AMSs in driving the process and in ensuring that there is actual harmonisation and regional coherence both internally (*i.e.*, within ASEAN) and externally (*i.e.*, *vis-à-vis* the relevant standards-setting organisations and for purposes of market access towards and with other countries).

Recently Adopted EU Legislation

Market Access

- [Council Decision of 7 October 2013 establishing the position to be taken by the European Union within the General Council of the World Trade Organization on the request for extending the WTO waiver on additional autonomous trade preferences granted by the Union to the Republic of Moldova](#)

Customs Law

- [Regulation \(EU\) No. 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code](#)

Food and Agricultural Law

- [Commission Implementing Regulation \(EU\) No. 990/2013 of 15 October 2013 amending Regulation \(EC\) No. 1187/2009 as regards exports of milk and milk products to the United States of America and the Dominican Republic](#)
- [Commission Implementing Regulation \(EU\) No. 979/2013 of 11 October 2013 amending Implementing Regulation \(EU\) No. 543/2011 as regards the trigger levels for additional duties on mandarins and satsumas, clementines, artichokes, oranges, pears, lemons, apples and courgettes](#)
- [Commission Implementing Regulation \(EU\) No. 956/2013 of 4 October 2013 amending Implementing Regulation \(EU\) No. 543/2011 as regards payment of the aid to producer organisations in the fruit and vegetables sector](#)

Other

- [Commission Implementing Regulation \(EU\) No. 977/2013 of 11 October 2013 on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Central America](#)
- [Commission Implementing Regulation \(EU\) No. 976/2013 of 11 October 2013 on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Panama](#)
- [Commission Implementing Regulation \(EU\) No. 975/2013 of 11 October 2013 on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Honduras](#)
- [Commission Implementing Regulation \(EU\) No. 974/2013 of 11 October 2013 on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Nicaragua](#)
- [Council Decision of 23 September 2013 on the signing, on behalf of the European Union, of the Voluntary Partnership Agreement between the European Union and the Republic of Indonesia on forest law enforcement, governance and trade in timber products to the European Union](#)

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