This Trade Summary provides an overview of WTO dispute settlement decisions and panel activities, and EU decisions and measures on commercial policy, customs policy and external relations, for the third quarter of 2018.

I. WTO

1. Dispute Settlement

WTO members review EU request for second compliance panel in Airbus dispute
At a special meeting of the WTO’s Dispute Settlement Body (DSB) on August 15, 2018, WTO members considered a request from the European Union for a dispute panel to determine whether the EU has complied with the findings in the latest WTO ruling on subsidies to Airbus. The DSB also noted that a request from the United States to suspend concessions against Indonesia in their dispute over Indonesia’s restrictions on imports of horticultural products, animals, and animal products has been referred to WTO arbitration.
(WTO Press Release, August 15, 2018)

Chinese request for retaliation against US in dumping dispute referred to arbitration
A Chinese request for authorization to retaliate against the United States in a dispute over US anti-dumping practices has been referred to WTO arbitration.
(WTO Press Release, September 21, 2018)

Morocco launches safeguard investigation on coated wood board
On July 27, 2018, Morocco notified the WTO’s Committee on Safeguards that it had decided to initiate on July 31, 2018 a safeguard investigation on coated wood board.
(WTO Press Release, August 2, 2018)

The Eurasian Economic Union launches safeguard investigation on certain flat-rolled steel products
The Kyrgyz Republic, the Russian Federation, Kazakhstan, and Armenia notified the WTO’s Committee on Safeguards that the competent authority of the Eurasian Economic Union initiated on August 7, 2018, a safeguard investigation on certain flat-rolled steel products.
(WTO Press Release, September 4, 2018)

Philippines launches safeguard investigation on cement
On September 19, 2018, Philippines notified the WTO’s Committee on Safeguards that it initiated on September 10, 2018 a safeguard investigation on cement.
(WTO Press Release, September 19, 2018)

Russia initiates WTO dispute complaint against US steel, aluminum duties
The Russian Federation has requested WTO dispute consultations with the United States regarding US duties on certain imported steel and aluminum products.
(WTO Press Release, July 2, 2018)

Tunisia initiates WTO dispute complaint against Moroccan book duties
Tunisia has requested WTO dispute consultations with Morocco regarding anti-dumping duties levied by Morocco on imports of school exercise books originating in Tunisia.
(WTO Press Release, July 10, 2018)

Switzerland initiates WTO dispute complaint against US steel, aluminum duties
Switzerland has requested WTO dispute consultations with the United States regarding US duties on certain imported steel and aluminum products.
(WTO Press Release, July 12, 2018)

United States initiates dispute complaints against five members over duties on US products
The United States has requested WTO dispute consultations with Canada, China, the European Union, Mexico, and Turkey regarding additional duties imposed by the five WTO members on imports of certain US products.
(WTO Press Release, July 19, 2018)

China initiates dispute complaints against US solar cell duties, renewable energy measures
China has requested WTO dispute consultations with the United States regarding US safeguard duties imposed on imports of crystalline silicon photovoltaic...
products. China has also requested WTO dispute consultations with the United States regarding measures at the state and municipal level that provide incentives for the use of domestically sourced renewable energy products and technologies. (WTO Press Release, August 16, 2018)

Turkey initiates WTO dispute complaint against additional US duties on steel, aluminum
Turkey has requested WTO dispute consultations with the United States concerning additional import duties imposed by the United States on steel and aluminum products. (WTO Press Release, August 20, 2018)

China initiates WTO dispute complaint against additional US tariffs on Chinese imports
China has requested WTO dispute consultations with the United States concerning additional duties applied by the United States on imports of Chinese goods. (WTO Press Release, August 27, 2018)

United States initiates WTO dispute complaint against Russian duties on US imports
The United States has requested WTO dispute consultations with the Russian Federation concerning additional duties applied by Russia on certain imports of US goods. (WTO Press Release, August 29, 2018)

Canada requests consultations with China on compliance with paper duties ruling
Canada has requested consultations with China regarding China’s alleged non-compliance with the recommendations and rulings of the Dispute Settlement Body in the dispute concerning Chinese anti-dumping duties on imports of Canadian cellulose pulp (DS483). (WTO Press Release, September 12, 2018)

Honduras files appeal against WTO panel ruling on tobacco plain packaging requirements
Honduras filed an appeal on July 19 against a WTO panel report in the case brought by Honduras in “Australia - Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging” (DS435). (WTO Press Release, July 19, 2018)

Ukraine files appeal against WTO panel ruling on anti-dumping measures on ammonium nitrate

The Dominican Republic files appeal against WTO panel ruling on tobacco plain packaging requirements
The Dominican Republic filed an appeal on August 23, 2018, against a WTO panel report in the case brought by Honduras, the Dominican Republic, Cuba, and Indonesia in “Australia - Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging” (DS441). (WTO Press Release, August 23, 2018)

Ukraine files appeal in dispute with Russia over railway equipment import restrictions
Ukraine filed an appeal on August 27, 2018, concerning the WTO panel report in the case brought by Ukraine in “Russia - Measures Affecting the Importation of Railway Equipment and Parts Thereof” (DS499). (WTO Press Release, August 27, 2018)

United States files appeal in dispute with Canada over US paper duties
The United States filed an appeal on August 27, 2018, concerning the WTO panel report in the case brought by Canada in “United States - Countervailing Measures on Supercalendered Paper from Canada” (DS505). (WTO Press Release, August 27, 2018)

European Union files appeal in dispute with Russia over energy sector measures
**PANELS ESTABLISHED**

**WTO panels established to rule on Canadian wine sale measures, US fish duties**

At a meeting of the WTO’s Dispute Settlement Body (DSB) on July 20, 2018, WTO members agreed to requests from the United States for a dispute panel to address measures governing the sale of wine in Canada and from Vietnam for a panel to examine US anti-dumping measures on Vietnamese fish fillets.

*(WTO Press Release, July 20, 2018)*

**Panel established to rule on EU compliance with Airbus ruling**

At a meeting of the WTO’s Dispute Settlement Body (DSB) on August 27, 2018, WTO members agreed to a request from the European Union for the establishment of a panel to examine the EU’s second claim that it has implemented the DSB’s recommendations adopted in 2011 in the Airbus aircraft subsidy dispute. The DSB also addressed several matters relating to the WTO’s Appellate Body.

*(WTO Press Release, August 27, 2018)*

**Panels established to rule on US safeguards, Canadian wine measures**

At a meeting of the WTO’s Dispute Settlement Body (DSB) on September 26, 2018, WTO members agreed to requests from Korea for the establishment of two panels to determine whether safeguards imposed by the United States on imports of solar cells and washers are compatible with WTO rules. The DSB also agreed to a request from Australia for a panel to rule on Canada’s measures affecting the sale of wine.

*(WTO Press Release, September 26, 2018)*

**PANEL REPORTS ISSUED**

**WTO issues panel report regarding US duties on Canadian paper**

On July 5, 2018, the WTO circulated the panel report in the case brought by Canada in “United States - Countervailing Measures on Supercalendered Paper from Canada” (DS505).

*(WTO Press Release, July 5, 2018)*

**WTO circulates panel report regarding Ukrainian fertilizer duties**

On July 20, 2018, the WTO circulated the panel report in the case brought by Russia in “Ukraine - Anti-Dumping Measures on Ammonium Nitrate” (DS493).

*(WTO Press Release, July 20, 2018)*

**WTO issues panel report regarding Russian measures on Ukrainian railway equipment**

On July 30, 2018, the WTO circulated the panel report in the case brought by Ukraine in “Russia - Measures affecting the importation of railway equipment and parts thereof” (DS499).

*(WTO Press Release, July 30, 2018)*

**WTO issues panel report regarding EU energy sector measures**

On August 10, 2018, the WTO circulated the panel report in the case brought by the Russian Federation in “European Union and its Member States - Certain Measures Relating to the Energy Sector” (DS476).

*(WTO Press Release, August 10, 2018)*

**APPELLATE BODY**

**Appellate Body issues report regarding Indonesian metal duties**

On August 15, 2018, the WTO Appellate Body issued its report in the cases brought by Chinese Taipei and Vietnam in “Indonesia - Safeguard on Certain Iron or Steel Products” (DS490 and DS496).

*(WTO Press Release, August 15, 2018)*

**2. Other Developments**

**Modernization of the World Trade Organization (WTO)**

The Commission presented a comprehensive approach for the modernization of the WTO.

*(Commission Press Release IP/18/5786, September 18, 2018; Concept paper)*

**TRADE POLICY REVIEWS**

**China**

*(WTO Press Release, July 11 and 13, 2018; Secretariat Report and Government Report, June 6, 2018)*

**Israel**

*(WTO Press Release, July 17 and 19, 2018; Secretariat Report and Government Report, June 12, 2018)*
Chinese Taipei
(WTO Press Release, September 12 and 14, 2018; Secretariat Report and Government Report, June 12, 2018)

WTO ACCESSIONS

The Bahamas reactivates WTO accession process with a view to secure membership by 2019
WTO members praised The Bahamas’ commitment to reactivate and accelerate its WTO accession process after six years of impasse. At the third meeting of the Working Party on the Accession of The Bahamas, held on September 21, 2018, members expressed their full support to the government of the Caribbean nation in its intention to secure WTO membership by the end of 2019. The Bahamas is the last nation in the Americas still outside the WTO.
(WTO Press Release, September 21, 2018)

II. EU Commercial Policy

1. Anti-Dumping and Anti-Subsidy

EU COURTS

Tubes and pipes of ductile cast iron (also known as spheroidal graphite cast iron) originating in India
Hearing in the appeal against Commission Implementing Regulation 2016/388 imposing a definitive anti-dumping duty.
(Case T-301/16 Jindal Saw and Jindal Saw Italia v. Commission, report for the hearing)

Ceramic tiles originating in China
i Hearing in the appeal against the Commission’s implementing decision of April 15, 2016, rejecting a request for a new exporting producer treatment with regard to the definitive anti-dumping measures imposed by Council Implementing Regulation 917/2011.
(Case T-310/16 Foshan Lihua Ceramic v. Commission, report for the hearing)

ii The General Court dismissed the appeal against the Commission’s implementing decision of July 11, 2016, rejecting a request for a partial interim review limited to dumping aspects with regard to the definitive anti-dumping measures imposed by Council Implementing Regulation 917/2011.
(Case T-654/16 Foshan Lihua Ceramic v. Commission, judgment of September 11, 2018)

Certain hot-rolled flat products of iron, non-alloy, or other alloy steel originating in Brazil, Iran, Russia, Ukraine, and Serbia
Order of the General Court dismissing Serbia’s application to intervene in the appeal against Commission Implementing Regulation 2017/1795 imposing a definitive anti-dumping duty on imports of certain hot-rolled flat products of iron, non-alloy, or other alloy steel originating in Brazil, Iran, Russia, and Ukraine, and terminating the investigation on imports of certain hot-rolled flat products of iron, non-alloy, or other alloy steel originating in Serbia.
(Case T-835/17 Eurofer v. Commission, order of July 6, 2018)

Certain seamless pipes and tubes of stainless steel originating in China
Appeal against Commission Implementing Regulation 2018/330 imposing a definitive anti-dumping duty following an expiry review pursuant to Article 11(2) of Regulation 2016/1036.

Electric bicycles originating in China
Appeal against Commission Implementing Regulation 2018/671 making imports of electric bicycles originating in China subject to registration.
(Case T-426/18 Bizbike and Hartmobile v. Commission, OJ 2018 C 341/21)

Stainless steel cold-rolled flat products originating in China and Taiwan
Appeal against the General Court’s judgment of April 23, 2018, dismissing the appeal against Commission Implementing Regulation 2015/1429 imposing a definitive anti-dumping duty.
(Case C-436/18 P Shanxi Taigang Stainless Steel v. Commission, OJ 2018 C 341/7)

Tartaric acid originating in China
i Appeal against the General Court’s judgment of March 15, 2018, by which the Court dismissed the appeal against Commission Implementing Decision 2016/176 terminating the anti-dumping proceeding concerning imports of tartaric acid originating in
China and produced by Hangzhou Bioking Biochemical Engineering.
(Case C-345/18 P Caviro Distillerie and Others v. Commission, OJ 2018 C 259/28)

ii Appeal against the General Court’s judgment of May 3, 2018, in which the Court: (i) annulled Council Implementing Regulation 626/2012 amending Council Implementing Regulation 349/2012 imposing a definitive anti-dumping duty; and (ii) maintained the anti-dumping duty imposed by Implementing Regulation 626/2012 as regards Ninghai Organic Chemical Factory’s goods, until the Commission and the Council have adopted the measures necessary to comply with this judgment.
(Case C-461/18 P Changmao Biochemical Engineering, OJ 2018 C 341/8)

**OTHER EU INSTITUTIONS**

**Trade defense**
The Commission published its thirty-sixth annual report on the EU’s anti-dumping, anti-subsidy, and safeguard activities.  

**Electrical bicycles originating in China**
(OJ 2018 L 181/7)

**Citric acid originating in China and consigned from Cambodia**
Commission Implementing Regulation 2018/1236 terminating the investigation concerning the possible circumvention of the anti-dumping measures imposed by Implementing Regulation 2015/82 on imports of citric acid originating in China by imports of citric acid consigned from Cambodia, whether declared as originating in Cambodia or not.  
(OJ 2018 L 231/20)

**Crystalline silicon photovoltaic modules and key components (i.e., cells)**
i Commission Implementing Regulation 2018/1017 amending Implementing Regulations 2017/366 and 2017/367 imposing definitive countervailing and anti-dumping duties on imports originating in or consigned from China and Implementing Regulations 2016/184 and 2016/185 extending the definitive countervailing and anti-dumping duty on imports originating in or consigned from China to imports consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not.  
(OJ 2018 L 183/1)

ii Notices of the expiry of certain: (i) anti-dumping; and (ii) anti-subsidy measures.  
((i) OJ 2018 C 310/4; (ii) OJ 2018 C 310/5)

**Certain stainless steel wires originating in India**
Commission Implementing Decision 2018/1306 terminating the anti-dumping proceeding.  
(OJ 2018 L 244/111)

**Welded tubes, pipes, and hollow profiles of square or rectangular cross-section, of iron other than cast iron or steel other than stainless, originating in Macedonia, Russia, and Turkey**
Notice of initiation of an anti-dumping proceeding.  
(OJ 2018 C 347/6)

**Solar glass originating in China**
Notices of the impending expiry of certain: (i) anti-dumping; and (ii) anti-subsidy measures.  
((i) OJ 2018 C 345/9; (ii) OJ 2018 C 345/10)
Low carbon ferro-chrome originating in China, Russia, and Turkey

Ceramic tiles originating in China
Notice concerning the name change of one company subject to the anti-dumping duty rate for cooperating non-sampled companies. (OJ 2018 C 258/9)

Biodiesel
i Notice of the impending expiry of certain anti-dumping measures. (OJ 2018 C 250/8)

ii Commission Implementing Regulation 2018/1121 amending Commission Implementing Regulation 2015/1518 imposing a definitive anti-dumping duty following an expiry review pursuant to Article 11(2) of Council Regulation 1225/2009. (OJ 2018 L 204/33)

Ironing boards originating in China
Notice of initiation of an expiry review of the anti-dumping measures. (OJ 2018 C 253/30)

Ferro-silicon originating in China and Russia
Notice of the impending expiry of certain anti-dumping measures. (OJ 2018 C 243/8)

Certain prepared or preserved sweetcorn in kernels originating in Thailand
Notice of initiation of an expiry review of the anti-dumping measures. (OJ 2018 C 322/4)

Mixtures of urea and ammonium nitrate originating in Russia, Trinidad and Tobago, and the US
Notice of initiation of an anti-dumping proceeding. (OJ 2018 C 284/9)

Silicon originating in Bosnia and Herzegovina and Brazil
Commission Implementing Decision 2018/1193 terminating the anti-dumping proceeding. (OJ 2018 L 211/5)

Stainless steel wires originating in India
Notice of the expiry of certain anti-subsidy measures. (OJ 2018 C 315/22)

2. Sanctions

EU COURTS

Egypt


Iran
i The Court of Justice annulled the General Court’s judgment of June 2, 2016, dismissing the appeal against Council Regulation 1263/2012 amending Regulation 267/2012. (Case C-430/16 P Bank Mellat v. Council, judgment of September 6, 2018)

ii Criteria for including in a list of persons and entities subject to asset-freezing - Plea of illegality - Admissibility - The Joint Comprehensive Plan of Action - Effect on interest in bringing appeal proceedings - Legal basis - Legitimate expectations - Legal certainty - Ne bis in idem - Res judicata - Right to effective judicial remedy - Misuse of powers - Rights of the defense - Proportionality - Manifest error of assessment. (Case C-225/17 P Islamic Republic of Iran Shipping Lines and Others v. Council, Advocate General opinion of September 13, 2018)

North Korea

ii Order by the President of the General Court removing from the register the appeal against Council Regulation 2017/1509 repealing Regulation 329/2007.
(Case T-742/17 Kim and Others v. Council, order of July 3, 2018)

(Case T-564/17 Tong Myong So v. Council and Commission, order of July 3, 2018)

Russia/Ukraine


ii The General Court annulled Council Decision (CFSP) 2017/381 amending Decision 2014/119/CFSP and Council Implementing Regulation 2017/374 implementing Regulation 208/2014 in so far as Mr. Andriy Klyuyev’s name was retained on the list of persons, entities, and bodies subject to those restrictive measures.
(Case T-240/16 Klyuyev v. Council, judgment of July 11, 2018)


(Case T-284/18 Arbuzov v. Council, OJ 2018 C 249/36)


(Case C-416/18 P Azarov v. Council, OJ 2018 C 301/19)

vii The General Court upheld restrictive measures adopted by the Council against a number of Russian banks and oil and gas companies in connection with the crisis in Ukraine.

Syria

Opinion by the Advocate General Mengozzi advising the Court of Justice to: (i) partially annul the General Court’s judgment of March 22, 2017, dismissing as inadmissible the application for annulment of Council Decision (CFSP) 2016/850 amending Decision 2013/255/CFSP and Council Implementing Regulation 2016/840 implementing Regulation 36/2012; and (ii) send the case back to the General Court insofar as it concerns the admissibility and, where appropriate, the merits of the second request for adaptation of the application lodged at first instance by the applicant.
(Case C-313/17 P Haswani v. Council, Advocate General opinion of September 20, 2018, available in French)
OTHER EU INSTITUTIONS

Burundi
The European Parliament adopted a resolution on Burundi.
(Resolution, July 5, 2018)

Guinea-Bissau
(OJ 2018 C 269/8)

ii Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation 377/2012 apply.
(OJ 2018 C 269/9)

Iran
i The Council indicated its intention not to object to a Commission delegated regulation amending the Annex to Council Regulation 2271/96 protecting against the effects of extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom.
(Council Press Release, July 16, 2018)

ii Commission Delegated Regulation 2018/1100 amending the Annex to Council Regulation 2271/96 protecting against the effects of extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom.
(OJ 2018 L 199 I/1)

iii Commission Implementing Regulation 2018/1101 laying down the criteria for the application of the second paragraph of Article 5 of Council Regulation 2271/96 protecting against the effects of extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom.
(OJ 2018 L 199 I/7)

iv Commission guidance note regarding adoption of the update of the Blocking Statute.
(OJ 2018 C 277 I/4)

Libya
i Council Implementing Regulation 2018/1073 implementing Article 21(2) of Regulation 2016/44.
(OJ 2018 L 194/30)

ii Council Implementing Decision (CFSP) 2018/1086 implementing Decision (CFSP) 2015/1333.
(OJ 2018 L 194/150)

iii Notice for the attention of persons and entities subject to the restrictive measures provided for in Council Decision (CFSP) 2015/1333, as implemented by Council Implementing Decision (CFSP) 2018/1086, and in Council Regulation 2016/44, as implemented by Council Implementing Regulation 2018/1073.
(OJ 2018 C 269/6)

iv Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation 2016/44 apply.
(OJ 2018 C 269/7)
v The Council added one person to the list of persons and entities subject to restrictive measures.  
(Council Press Release, September 18, 2018)

vi Council Implementing Regulation 2018/1245 implementing Article 21(1) of Regulation 2016/44.  
(OJ 2018 L 235/1)

(OJ 2018 L 235/21)

viii Notice for the attention of the person subject to the restrictive measures provided for in Council Decision (CFSP) 2015/1333 as implemented by Council Implementing Decision (CFSP) 2018/1250, and in Council Regulation 2016/44, as implemented by Council Implementing Regulation 2018/1245.  
(OJ 2018 C 332/3)

ix Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation 2016/44 apply.  
(OJ 2018 C 332/5)

x Council Implementing Regulation 2018/1285 implementing Article 21(5) of Regulation 2016/44.  
(OJ 2018 L 240/4)

xi Council Implementing Decision (CFSP) 2018/1290 implementing Decision (CFSP) 2015/1333.  
(OJ 2018 L 240/63)

Maldives

i The Council adopted a framework for targeted restrictive measures against persons and entities responsible for undermining the rule of law or obstructing an inclusive political solution in the Maldives as well as persons and entities responsible for serious human rights violations.  
(Council Press Release, July 16, 2018)

(OJ 2018 L 180/1)

(OJ 2018 L 180/24)

Myanmar/Burma

i Council Decision (CFSP) 2018/1126 amending Decision 2013/184/CFSP.  
(OJ 2018 L 204/53)

(OJ 2018 L 204/9)

North Korea

(OJ 2018 L 181/1)

(OJ 2018 L 181/86)

iii Notice for the attention of a person and an entity subject to the restrictive measures provided for in Council Decision (CFSP) 2016/849, as implemented by Council Implementing Decision (CFSP) 2018/1016, and Council Regulation 2017/1509, as implemented by Council Implementing Regulation 2018/1009.  
(OJ 2018 C 251/7)

(OJ 2018 L 194/32)

(OJ 2018 L 194/152)

(OJ 2018 C 269/10)

vii Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation 2017/1509 apply.  
(OJ 2018 C 269/11)

viii Council Implementing Regulation 2018/1231 implementing Regulation 2017/1509.  
(OJ 2018 L 231/11)

(OJ 2018 L 231/37)

x Council Implementing Regulation 2018/1284 implementing Regulation 2017/1509.  
(OJ 2018 L 240/2)

xi Council Implementing Decision (CFSP) 2018/1289 implementing Decision (CFSP) 2016/849.  
(OJ 2018 L 240/61)
Russia/Ukraine  
i The Council prolonged economic sanctions targeting specific sectors of the Russian economy by six months.  
(Council Press Release, July 5, 2018)  

(OJ 2018 L 172/3)  

iii The Council added six entities to the list of those subject to restrictive measures over actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.  
(Council Press Release, July 31, 2018)  

(OJ 2018 L 194/27)  

(OJ 2018 L 194/147)  

(OJ 2018 C 269/5)  

vii The Council prolonged the restrictive measures over actions undermining or threatening the territorial integrity, sovereignty, and independence of Ukraine for a further six months.  
(Council Press Release, September 13, 2018)  

(OJ 2018 L 231/1)  

(OJ 2018 L 231/27)  

(OJ 2018 C 325/3)  

xi Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation 269/2014 as implemented by Council Implementing Regulation 2018/1230 apply.  
(OJ 2018 C 325/4)  

South Sudan  
i The Council transposed UN Security Council resolution 2428 reinforcing sanctions.  
(Council Press Release, August 10, 2018)  

ii Council Implementing Regulation 2018/1115 implementing Article 20(1) of Regulation 2015/735.  
(OJ 2018 L 204/1)  

(OJ 2018 L 204/6)  

(OJ 2018 L 204/48)  

(OJ 2018 C 284/3)  

vi Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation 2015/735 apply.  
(OJ 2018 C 284/5)  

Venezuela  
The European Parliament adopted a resolution on the migration crisis and humanitarian situation in Venezuela and at its terrestrial borders with Colombia and Brazil.  
(Resolution, July 5, 2018)  

3. Other Measures  

EU COURTS  

Access to documents  
The General Court dismissed the appeal against the Commission’s decision of July 1, 2016, refusing access to certain documents relating to the compatibility with EU law of Investor-State Dispute Settlement and the Investment Court System in EU trade agreements.  
(Case T-644/16 ClientEarth v. Commission, judgment of July 11, 2018)
OTHER EU INSTITUTIONS

Steel products
i  The Commission imposed provisional safeguard measures on imports of steel products.  
   (Commission Press Release IP/18/4563, July 18, 2018)

ii  Commission Implementing Regulation 2018/1013 imposing provisional safeguard measures with regard to imports of certain steel products.  
   (OJ 2018 L 181/39)

US car imports investigation
The EU submitted its formal comments to the US Department of Commerce in the framework of an ongoing investigation on the impact of automotive imports on the US national security.  
   (Commission Daily News, July 2, 2018; Comments, June 29, 2018)

Dual-use export controls
The Commission started a consultation on draft Internal Compliance Program (ICP) guidance for dual-use export controls.  
   (Consultation page)

Import of cultural goods
The European Parliament’s Committees on the Internal Market and Consumer Protection and on International Trade strengthened the conditions under which cultural items such as manuscripts or archaeological objects can be imported to the EU to ensure they are not used to finance terrorism.  
   (EP Press Release, September 27, 2018)

Export credits
i  Proposed Council decision on the position to be taken on behalf of the EU in the meeting of the participants to the arrangement on Officially Supported Export Credits.  
   (COM 2018/542, July 19, 2018)

ii  Proposed Council decision on the position to be taken on behalf of the EU in the meeting of the participants to the arrangement on officially supported export credits.  
   (COM 2018/565, August 2, 2018)

Conflict minerals
Commission Recommendation 2018/1149 on non-binding guidelines for the identification of conflict-affected and high-risk areas and other supply chain risks under Regulation 2017/821.  
   (OJ 2018 L 208/94)

III. EC Customs Policy

EU COURTS

Combined Nomenclature
i  The Court of Justice held that the Combined Nomenclature set out in Annex I to Council Regulation 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended by Commission Regulation 1001/2013, must be interpreted as meaning that the cast tube or pipe fittings of spheroidal graphite cast iron must be classified under subheading 7307 19 90 thereof.  
   (Joined Cases C‑397/17, C‑398/17 Profit Europe, judgment of July 12, 2018)

ii  Reference for a preliminary ruling from a Czech court seeking guidance from the Court of Justice on the validity of Commission Implementing Regulation 2015/23 concerning the classification of certain goods in the Combined Nomenclature.  
   (Case C‑306/18 KORADO, reference for a preliminary ruling: OJ 2018 C 240/29)

iii  Reference for a preliminary ruling from a Romanian court seeking guidance from the Court of Justice on the interpretation of Annex I to Council Regulation 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended by Commission Implementing Regulation 2016/1821.  
   (Case C‑268/18 SC Onlineshop, reference for a preliminary ruling: OJ 2018 C 249/11)

   (Case C‑445/17 Pilato, judgment of July 25, 2018)

v  Reference for a preliminary ruling from a Dutch court seeking guidance from the Court of Justice on the interpretation of subheadings 8528 51 00 and 8528 59 40 of the Combined Nomenclature with regard to flat panel displays, with a screen of the Liquid Crystal Display (LCD) technology, designed and manufactured for displaying data from an automatic data-processing machine and from other composite video signals from other sources.  
   (Case C‑288/18 X, reference for a preliminary ruling: OJ 2018 C 276/19)
vi The Court of Justice held that the Combined Nomenclature set out in Annex I to Council Regulation 2658/87, in the version resulting from Commission Implementing Regulation 927/2012, must be interpreted as meaning that subheading 1902 30 10 thereof covers instant noodle dishes composed of a block of pre-cooked and fried noodles.
(Case C-471/17 Kreyenhop & Kluge, judgment of September 6, 2018)

vii The Court of Justice held that the Combined Nomenclature set out in Annex I to Council Regulation 2658/87, as amended by Commission Regulation 1549/2006, must be interpreted as meaning that apparatus capable of receiving, decoding, and processing live TV signals transmitted using internet technology must be classified under subheading 8528 71 90 thereof, provided that they do not incorporate a video tuner or a “television tuner”, this being a matter for the referring court to ascertain.
(Case C-555/17 2M-Locatel, judgment of September 20, 2018)

Common Customs Tariff
Tariff headings - Classification of goods - Volatile-memory camera, meaning that recorded images are deleted when the camera is switched off or when new images are captured - Combined Nomenclature - Subheadings 8525 80 19 and 8525 80 30 - Explanatory Notes - Interpretation - Implementing Regulation 113/2014 - Interpretation - Validity.
(Case C-372/17 Vision Research Europe, judgment of September 13, 2018)

Customs duties on exports
Opinion of the Advocate General Sharpston advising the Court of Justice to hold that a charge levied on domestically produced electricity by reason of the fact that it crosses the national frontier is a charge having an equivalent effect to customs duties on exports falling within the scope of Article 30 TFEU, when it applies to trade between Member States, and that that charge is likewise prohibited in respect of exports to third countries, since such charges fall within the exclusive competence of the EU pursuant to Articles 3(1)(a) and (e), 28(1), 206 and 207 TFEU.
(Case C-305/17 FENS, Advocate General opinion of July 5, 2018)

Customs union
i Order by the General Court: (i) dismissing the appeal against the Commission’s conclusion, in its document of June 15, 2017, that the essential interests of Union producers would not be adversely affected by an authorization for inward processing of certain Grain-oriented Electrical Steel (GOES) products; and (ii) stating there is no need to adjudicate on the application to intervene by Euro-Mit Staal.
(Case T-577/17 thyssenKrupp Electrical Steel and thyssenKrupp Electrical Steel Ugo v. Commission, order of July 2, 2018)

Customs Code
i Reference for a preliminary ruling from a German court seeking guidance from the Court of Justice on the interpretation of Council Regulation 2913/92 establishing the Community Customs Code, in particular on whether Article 212a of the Customs Code encompasses the exemption from an anti-dumping and countervailing duty pursuant to Article 3(1) of Regulation 1238/2013 or Article 2(1) of Regulation 1239/2013.
(Case C-226/18 Krohn & Schröder, reference for a preliminary ruling: OJ 2018 C 268/21)

ii Reference for a preliminary ruling from a Dutch court seeking guidance from the Court of Justice on the interpretation of Article 78 of Council Regulation 2913/92 establishing the Community Customs Code.
(Case C-249/18 CEVA Freight Holland, reference for a preliminary ruling: OJ 2018 C 276/12)

OTHER EU INSTITUTIONS

Customs Code
i The Commission published the feedback received to the proposed regulation amending Regulation 952/2013 laying down the Union Customs Code.
(Feedback page)
(OJ 2018 L 192/1)

iii Commission Delegated Regulation 2018/1118 amending Delegated Regulation 2015/2446 as regards the conditions for a reduction of the level of the comprehensive guarantee and the guarantee waiver.
(OJ 2018 L 204/11)

Customs union
The Commission published its first biennial report on progress in developing the EU customs union and its governance.
(COM 2018/524, July 5, 2018)

Customs risk management
Second progress report on the implementation of the EU strategy and action plan for customs risk management.
(COM 2018/549, July 20, 2018; Commission staff working document, July 20, 2018)

Common transit procedure
Proposed Council decision on the position to be taken on behalf of the EU in the EU/CTC Joint Committee established by the Convention of May 20, 1987, on a common transit procedure as regards amendments to that Convention.
(COM 2018/601, August 22, 2018; Annex, August 22, 2018)

Combined Nomenclature

ii Explanatory notes to the EU’s Combined Nomenclature.
(OJ 2018 C 305/3; OJ 2018 C 305/4; OJ 2018 C 327/10; OJ 2018 C 327/11; OJ 2018 C 327/12)

IV. EU External Relations

B. Multi- or Plurilateral

AMERICAS

EU/Mercosur
i The Commission published the report from the thirty-fourth round of negotiations of the trade part of the EU/Mercosur association agreement.
(Report, July 2018)

ii Information notice concerning a public consultation regarding terms from Mercosur to be protected as traditional terms for wine in the EU.
(OJ 2018 C 322/22)

AFRICA

EU/West Africa
The Gambia signed the region-to-region economic partnership agreement between the EU and West Africa.
(Commission Daily News, August 9, 2018)

EU/Eastern and Southern Africa States
Decision 1/2017 of the EPA Committee established by the interim agreement establishing a framework for an Economic Partnership Agreement between the Eastern and Southern Africa States and the EU regarding the accession of Croatia to the EU and changes in the list of countries and territories associated with the EU.
(OJ 2018 L 207/65)

C. Bilateral

AFRICA

EU/Ivory Coast
Decision 1/2018 of the EPA Committee set up by the EU/Ivory Coast stepping stone economic partnership agreement regarding the adoption of the rules of procedure of the EPA Committee.
(OJ 2018 L 194/158)

EU/Morocco
i The Council adopted a decision on the extension of tariff preferences to the Western Sahara, in the association agreement with Morocco.
(Council Press Release, July 16, 2018)
ii Council decision on the position to be taken on behalf of the EU in the Association Council set up by the Euro-Mediterranean Agreement establishing an association between the EU and Morocco, with regard to the adoption of a recommendation approving the extension of the EU/Morocco action plan implementing the advanced status (2013-2017). *(Text of decision, July 17, 2018)*

iii The Council endorsed the decision of the EU/Morocco Association Council to extend by one year the EU/Morocco action plan implementing the advanced status (2013-2017). *(Council Press Release, September 18, 2018)*

**EU/Tunisia**

i Council decision on the position to be taken on behalf of the EU within the Association Council set up by the Euro-Mediterranean Agreement establishing an association between the EU and Tunisia, with regard to the adoption of the EU/Tunisia strategic priorities for the period 2018-2020. *(Text of decision, September 4, 2018)*

ii The Council endorsed the EU/Tunisia strategic priorities for the period 2018-2020. *(Council Press Release, September 18, 2018)*

iii Decision of the EU/Tunisia Association Council adopting the EU/Tunisia strategic priorities for the period 2018-2020. *(Text of decision, September 21, 2018)*

**AMERICAS**

**EU/Canada**

i Draft decision of the CETA Joint Committee adopting its rules of procedure and of the Specialized Committees. *(Draft decision, July 6, 2018)*

ii Council Decision 2018/1062 on the position to be adopted on behalf of the EU within the CETA Joint Committee established by the EU/Canada Comprehensive Economic and Trade Agreement (CETA), as regards the adoption of the Rules of Procedure of the CETA Joint Committee and Specialized committees. *(OJ 2018 L 190/13)*

iii Proposed Council decision on the position to be adopted, on behalf of the EU, in the CETA Committee on Trade and Sustainable Development established by the Comprehensive Economic and Trade Agreement (CETA) between Canada and the EU, establishing lists of individuals willing to serve as panelists under Chapter 23 and Chapter 24 of the Agreement. *(COM 2018/580, August 10, 2018; Annex, August 10, 2018)*

iv The Council endorsed three non-binding recommendations to be signed in the first session of the EU/Canada CETA (Comprehensive Economic and Trade Agreement) Joint Committee. *(Council Press Release, September 18, 2018)*

v Council decision on the position to be adopted on behalf of the EU in the CETA Committee on Trade and Sustainable Development, established by the Comprehensive Economic and Trade Agreement between Canada and the EU, as regards the establishment of lists of individuals willing to serve as panelists under Chapter Twenty-Three and Chapter Twenty-Four of the Agreement. *(Text of decision, September 18, 2018)*

**EU/Chile**

Sustainability impact assessment in support of the negotiations for the modernization of the trade part of the association agreement with Chile. *(Inception report, July 20, 2018)*

**EU/US**

i Report by the European Parliament’s Committee on Foreign Affairs on the state of EU/US relations. *(Report, July 10, 2018)*

ii The European Parliament adopted a resolution on the state of EU/US relations. *(EP Press Release, September 12, 2018; Resolution, September 12, 2018)*

**ASIA**

**EU/Kazakhstan**

The Court of Justice annulled Council Decision 2017/477 on the position to be adopted on behalf of the EU within the Cooperation Council established under the Enhanced Partnership and Cooperation Agreement between the EU and Kazakhstan as regards the working arrangements of the Cooperation Council, the Cooperation Committee, specialized subcommittees, or any other bodies. *(Case C-244/17 Commission v. Council, judgment of September 4, 2018)*
EU/China
i  The Commission published the report of the eighteenth round of negotiations for an EU/China investment agreement.  
   (Commission Daily News, July 24, 2018)
ii  Report by the European Parliament’s Committee on Foreign Affairs on the state of EU/China relations.  
   (Report, July 10, 2018)
iii  The European Parliament adopted a resolution on the state of EU/China relations.  
   (EP Press Release, September 12, 2018; Resolution, September 12, 2018)

EU/Japan
i  The Council adopted a package of decisions on the economic partnership agreement with Japan.  
   (Council Press Release, July 6, 2018; Commission Press Release, July 6, 2018)
ii  Council Decision 2018/966 on the signing, on behalf of the EU, of the agreement between the EU and Japan for an economic partnership.  
   (OJ 2018 L 174/1)
iii  The EU and Japan signed the EU/Japan economic partnership agreement.  
   (Commission Press Release IP/18/4526, July 17, 2018; Statement by President Juncker, July 17, 2018)
iv  The Commission unveiled a new interactive tool showing EU towns and cities that export goods to Japan.  
v  The Commission published a report assessing the economic impact of the provisions negotiated by the EU and Japan in the economic partnership agreement.  
   (Report, June 2018)
vi  Council Decision 2018/1197 on the signing, on behalf of the EU, and provisional application of the EU/Japan strategic partnership agreement.  
   (Decision: OJ 2018 L 216/1; Agreement: OJ 2018 L 216/4)

EU/Indonesia
The Commission published: (i) the report of the fifth round of negotiations for a free trade agreement with Indonesia; and (ii) two new text proposals.  
   (Commission Daily News, July 24, 2018; Report; Text proposal, May 24, 2018; Text proposal, April 11, 2018)

EU/Singapore
i  The Council concluded the partnership and cooperation agreement between the EU and Singapore.  
   (Council Press Release, July 16, 2018)
ii  Council Decision 2018/1047 on the signing, on behalf of the Union, of the EU/Singapore partnership and cooperation agreement.  
   (OJ 2018 L 189/2)
iii  Investment Protection Agreement between the EU and Singapore.  
   (Text of agreement, September 18, 2018)
iv  Council decision on the signing, on behalf of the EU, of the EU/Singapore Investment Protection Agreement.  
   (Text of decision, September 18, 2018)
v  Council decision on the conclusion, on behalf of the EU, of the EU/Singapore Investment Protection Agreement.  
   (Text of decision, September 18, 2018)

EU/Vietnam
Joint proposed Council decision on the position to be taken on behalf of the EU in the Joint Committee established by the EU/Vietnam framework agreement on comprehensive partnership and cooperation, in relation to the adoption of the Rules of procedure of the Joint Committee, and the establishment of subcommittees and specialized working groups and the adoption of their terms of reference.  
   (JOIN 2018/21, July 13, 2018; Annexes 1–2, July 13, 2018)

EU/Malaysia
i  Joint proposed Council decision on the signing, on behalf of the EU, and provisional application of the framework agreement on partnership and cooperation between the EU and Malaysia.  
   (JOIN 2018/20, July 3, 2018; Annex, July 3, 2018)
ii  Framework Agreement on Partnership and Cooperation between the EU and Malaysia.  
   (Text of agreement, September 18, 2018)
iii  Council decision on the signing, on behalf of the EU, and provisional application of the Framework Agreement on Partnership and Cooperation between the EU and Malaysia.  
   (Text of decision, September 18, 2018)
EU TRADE SUMMARY

EUROPE

EU/Armenia
The European Parliament gave its consent to the EU/Armenia comprehensive and enhanced partnership agreement.

EP Press Release, July 4, 2018; Resolution, July 4, 2018; Resolution, July 4, 2018

EU/Azerbaijan
i The European Parliament adopted a recommendation to the Council, Commission, and High Representative of the Union for Foreign Affairs and Security Policy on the negotiations on the EU/Azerbaijan comprehensive agreement.

EP Press Release, July 4, 2018; Recommendation, July 4, 2018

ii Joint proposed Council decision on the position to be taken on behalf of the EU within the Cooperation Council established by the EU/Azerbaijan partnership and cooperation agreement with regard to the adoption of the EU/Azerbaijan partnership priorities.

JOIN 2018/24, July 24, 2018; Annex, July 24, 2018

iii Council decision on the position to be taken, on behalf of the EU, within the Cooperation Council established by the partnership and cooperation agreement between the EU and Azerbaijan, with regard to the adoption of the EU/Azerbaijan partnership priorities.

Text of decision, September 21, 2018

EU/Ukraine
i Proposed Council decision on the position to be taken on behalf of the EU in the Customs Sub-Committee established by the EU/Ukraine association agreement, as regards the replacement of Protocol I to that Agreement, concerning the definition of the concept of “originating products” and methods of administrative cooperation, by a new protocol that refers to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin.

COM 2018/510/2, July 4, 2018; Annex, July 3, 2018

ii Decision 1/2018 of the EU/Ukraine Association Committee in trade configuration updating Annex XXI to Chapter 8 on public Procurement of Title IV - Trade and Trade-Related Matters of the association agreement and giving a favorable opinion regarding the comprehensive roadmap on public procurement.

OJ 2018 L 175/1

iii Decision 2/2018 of the EU/Ukraine Association Committee in Trade Configuration on recalculating the schedule of export duty elimination and safeguard measures for export duties set out in Annexes I-C and I-D to Chapter 1 of Title IV of the association agreement.

OJ 2018 L 188/17

iv Council decision on the position to be taken on behalf of the EU within the Customs Sub-Committee established by the EU/UKRAINE Association Agreement, as regards the replacement of Protocol I to that Agreement, concerning the definition of the concept of “originating products” and methods of administrative cooperation, by a new protocol that refers to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin.

Text of decision, September 17, 2018

EU/Uzbekistan
i Council decision authorizing the Commission and High Representative of the Union for Foreign Affairs and Security Policy to open negotiations on and to negotiate, on behalf of the Union, the provisions that fall within the competence of the Union of a comprehensive agreement between the EU and Uzbekistan.

Text of decision, July 3, 2018

ii Decision of the Representatives of the Governments of the Member States, meeting within the Council, authorizing the Commission to open negotiations on and to negotiate, on behalf of the Member States, the provisions that fall within the competences of the Member States of a comprehensive agreement between the EU and Uzbekistan.

Text of decision, July 3, 2018

iii The Council adopted negotiating directives for the High Representative for Foreign Affairs and Security Policy and the Commission to negotiate an enhanced partnership and cooperation agreement with Uzbekistan.

Council Press Release, July 16, 2018
EU/Georgia

i Council decision on the position to be taken on behalf of the EU within the Association Committee in trade configuration established by the EU/Georgia association agreement, regarding the update of Annex III (Approximation) concerning rules applicable to standardization, accreditation, conformity assessment, technical regulation, and metrology, and Annex XVI (Public Procurement) to the Agreement.

(Text of decision, July 10, 2018)

ii The Council adopted a decision on the position to be taken on behalf of the EU in the association committee meeting in trade configuration in the context of the EU/Georgia Association Agreement.

(Council Press Release, September 18, 2018)

iii Council Decision 2018/1303 on the position to be taken on behalf of the EU within the Association Committee in Trade configuration established by the EU/Georgia association agreement, regarding the update of Annex III (Approximation) concerning rules applicable to standardization, accreditation, conformity assessment, technical regulation and metrology, and Annex XVI (Public Procurement) to the agreement.

(OJ 2018 L 244/81)

EU/Moldova

i Decision 1/2018 of the EU/Moldova Association Committee meeting in trade configuration giving a favorable opinion regarding the comprehensive roadmap on public procurement.

(OJ 2018 L 168/10)

ii Decision 1/2018 of the EU/Moldova Association Council as regards the amendment of Annex XXVI to the EU/Moldova association agreement.

(OJ 2018 L 176/21)

MIDDLE EAST

EU/Iraq

i The European Parliament adopted two resolutions on the draft Council decision on the conclusion of a partnership and cooperation agreement between the EU and Iraq.

(Resolution, July 4, 2018; Resolution, July 4, 2018)


(OJ 2018 L 203/1)

EU/Lebanon

Notice concerning the entry into force of a Protocol between the EU and Lebanon establishing a dispute settlement mechanism applicable to disputes under the trade provisions of the Euro-Mediterranean Agreement establishing an association between the EU and Lebanon.

(OJ 2018 L 198/1)

OCEANIA

EU/Australia

i The EU and Australia completed the first round of negotiations for an ambitious and comprehensive trade agreement.

(Commission Press Release, July 9, 2018)

ii The Commission published the report from the first round of trade negotiations for a free trade agreement with Australia, as well as a set of EU text proposals covering twelve negotiating areas presented so far in the talks with Australia.

(Commission Daily News, July 30, 2018; Report, July 2018; Text proposal (customs and trade facilitation), June 13, 2018; Text proposal (dispute settlement), June 13, 2018; Text proposal (energy and raw materials), June 13, 2018; Text proposal (public procurement), June 13, 2018; Text proposal (intellectual property), June 13, 2018; Text proposal (mutual administrative assistance in customs matters), June 13, 2018; Text proposal (rules of origin), June 13, 2018; Text proposal (SMEs), June 13, 2018; Text proposal (State-owned enterprise), June 13, 2018; Text proposal (technical barriers to trade), June 13, 2018; Text proposal (trade in goods), June 13, 2018; Text proposal (trade remedies), June 13, 2018)

iii Joint proposed Council decision on the position to be adopted, on behalf of the EU, in the Joint Committee established by the Framework Agreement between the EU and Australia, as regards the adoption of decisions of the Joint Committee on the Rules of procedure of the Joint Committee and the adoption of the terms of reference of the subcommittees and working groups.

(JOIN 2018/25, August 13, 2018; Annexes, August 13, 2018)
EU/New Zealand

i The EU and New Zealand completed the first round of negotiations for a trade agreement. (Commission Press Release, July 23, 2018)

ii The Commission published the report from the first round of trade negotiations with New Zealand, as well as a set of EU text proposals covering 11 negotiating areas presented so far in the talks with Zealand. (Commission Daily News, July 30, 2018; Report, July 2018; Text proposal (customs and trade facilitation), June 13, 2018; Text proposal (dispute settlement), June 13, 2018; Text proposal (energy and raw materials), June 13, 2018; Text proposal (public procurement), June 13, 2018; Text proposal (intellectual property), June 13, 2018; Text proposal (rules of origin), June 13, 2018; Text proposal (SMEs), June 13, 2018; Text proposal (State-owned enterprise), June 13, 2018; Text proposal (technical barriers to trade), June 13, 2018; Text proposal (trade in goods), June 19, 2018; Text proposal (trade remedies), June 13, 2018)
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