

Press Release

The Centre for Trade and Investment Law (CTIL) organised a case presentation and panel discussion on two recent WTO disputes, namely *DS593: European Union — Certain Measures Concerning Palm Oil and Oil Palm Crop-Based Biofuels (Indonesia)* and *DS600: European Union and certain Member states — Certain Measures Concerning Palm Oil and Oil Palm Crop-Based Biofuels (Malaysia)* on the 31st July 2025 at NAFED House, New Delhi. The discussion delved into the legal and policy aspects of these disputes, exploring their implications on environment related trade measures.

The discussion on the WTO disputes DS600 (Malaysia) and DS593 (Indonesia) brought together policymakers and trade law academics to examine the implications of the WTO ruling on the EU's sustainability measures. These cases underscore the contested balance between environmental policymaking and trade obligations, raising critical questions about discrimination, scientific justification, and compliance with the WTO disciplines.

Shri Nitin Kumar Yadav, Additional Secretary, Department of Commerce, Government of India provided insights on the policy implications of new trade measures being adopted by developed countries, particularly measures in the form of technical barriers to trade, and its impact on India, developing and least-developed countries.

Dr. James Nedumpara, Professor and Head, Centre for Trade and Investment Law, provided a comprehensive summary of the Panel Report and critiqued the Panel's analysis on the issue of environmental objectives, certification scheme and the Special and Differential Treatment obligation for developing countries.

Dr. Anwar Sadat, a Senior Assistant Professor at the Indian Society of International Law, offered a comprehensive analysis from a Third World Approach to International Law (TWAIL) perspective. The analysis emphasised the unique challenges and considerations faced by developing countries.

Ms. Shiny Pradeep, Legal Consultant (Assistant Professor) at the Centre for Trade and Investment Law, added onto a critical evaluation of the Panel's report, particularly regarding the omission of adequate consideration of alternatives and international standards, and the cursory analysis of Article XX of GATT 1994.

Mr. Vishishth Malhotra, Associate at the Centre for Trade and Investment Law, provided his insights on the transparency and TBT portions of the Panel report. He observed that the EU had not met its own standards of transparency and analysed the need to consider the special circumstances of developing and least developed countries.

The Panel Discussion concluded with an active engagement session where attendees interacted with the Panellists to discuss the theoretical and practical implications of the dispute.