

# EU Anti-Dumping Duties on Biodiesel from Indonesia



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## Fact Sheet

**The European Union (EU) as of 5 March no longer imposes antidumping duties on five Indonesian companies who lodged cases before the Court of Justice of the EU. Other companies will have to wait until 28 October for the implementation of the World Trade Organisation (WTO) Dispute Settlement Body ruling.**

On 27 November 2013, the EU imposed definitive [anti-dumping duties](#) on imports of biodiesel from Indonesia (and Argentina). Indonesia brought a complaint against the EU to the WTO Dispute Settlement Body. The WTO issued its report on 25 January 2018. After carefully assessing the panel findings, the EU decided not to appeal the panel report.

The European Commission – the EU's executive body – is now in the process of assessing the impact that its implementation will have on the anti-dumping measures on biodiesel from Indonesia. The EU and Indonesia agreed on a reasonable period of time of eight months to implement the panel report, expiring on 28 October 2018.

In parallel, five Indonesian companies launched cases against the EU anti-dumping regulation in the [General Court of the EU](#) which ruled in their favour in 2016. The Council of the EU appealed that decision and later decided to withdraw the appeal. Upon the withdrawal, the ruling became effective and from 5 March 2018 *PT Ciliandra Perkasa*, *PT Wilmar Bioenergi Indonesia*, *PT Wilmar Nabati Indonesia*, *PT Musim Mas* and *PT Pelita Agung Agrindustri* can export biodiesel to the EU free of anti-dumping duties.

Other Indonesian companies still have to pay up to 20.5 % duties on their biodiesel exports since they were not parties in the ECJ cases and the judgement does not apply to them. These companies have to wait for the implementation of the WTO Dispute Settlement Body ruling.

For details on the cases before the ECJ, please refer to the docket of the Court at <http://bit.ly/ECJbiodieselRI>

For the WTO panel report, please go to <http://bit.ly/WTOreportRI>

EU antidumping proceedings on Indonesian/ Argentinian biodiesel: <http://bit.ly/EUproceedingRI>

### More info:

- Factsheet on Palm Oil - <http://bit.ly/EUonPalmOil>
- Factsheet on the revision of EU's Renewable Energy Directive (RED) - <http://bit.ly/RED2andPalmOil>

### The cases before the Court of Justice of the EU

On 15 September 2016, the General Court of the EU had annulled the anti-dumping Regulation N° 1194/2013 of 19 November 2013 in individual cases initiated by a number of Argentinian and Indonesian biodiesel producers. After appealing those judgments before the [Court of Justice](#), the Council of the EU decided to withdraw its appeals.

Following the notification of the Court order to remove the Argentinian and Indonesian cases from the Court's Register on 2 and 5 March 2018 respectively, the judgments of the General Court of 15 September 2016 have become effective and have immediate binding effect in the EU legal order. This means that the measures have been annulled – i.e. removed completely – for all the successful applicants to the General Court, as of 2 March for Argentinian and as of 5 March for Indonesian producers.