

# **Renewable Energy: Subsidies and Taxes as Distortion?**

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## International trade law v. environmental law

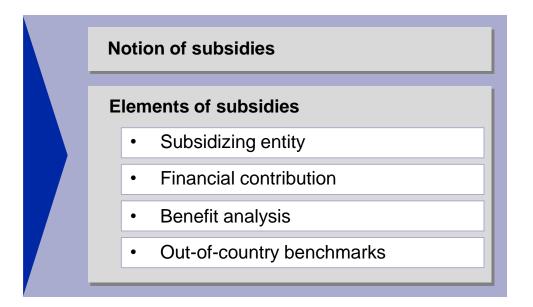
Energy (electricity as good)

WTO-Law: applicable disciplines

Tensions with environmental law

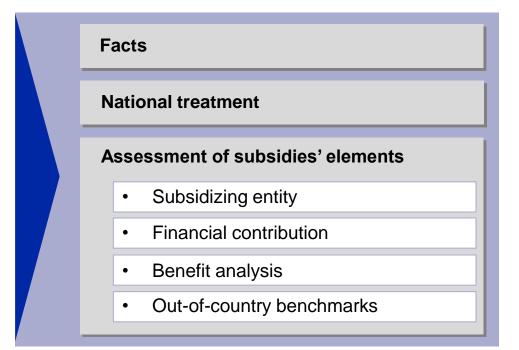


### Subsidization of renewable energy





## Canada – Feed-in Tariff (FIT) Case





### **Critical review of FIT Case**

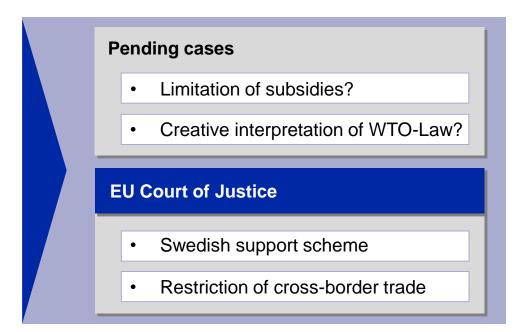
Definition of relevant markets

Creation or correction of markets

Undetermined (open) assessment



### **Expectable developments**

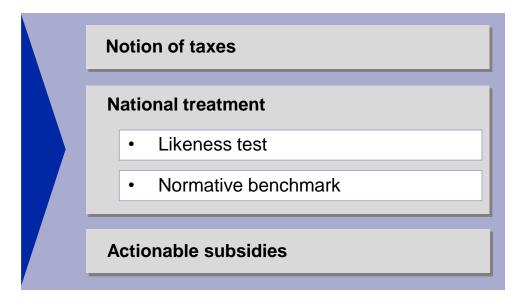






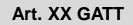


### Taxes and renewable energy





### Justification of trade distortion



- Justification reasons
- Overarching principles

### Application on subsidies / taxes

- Lex specialis problem
- Balancing test

EU Court of Justice: justification reasons







# Outlook

Available guidelines from Canada - FIT case

Increased openness for environmental requirements

Negotiations on Environmental Goods Agreement