



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 23 May 2012**

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**NOTE**

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from: General Secretariat  
to: Delegations

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Subject: Restrictive measures on trade and investment by Argentina  
- Explanatory Note by Spain

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Delegations will find in Annex a note submitted by the Spanish delegation to be presented under A.O.B at the Council (Foreign Affairs/Trade) at its session on 31 May 2012.

**Restrictive measures on trade and investment by Argentina - Explanatory Note by Spain**

Spain has requested that the Council in its Trade formation deals again with Argentina's restrictive measures on trade and investment. The purpose of this request is to recall the importance of the issue and allow the European Commission to update the Member States on latest developments in Argentina, as well as on any steps taken or being considered to address the series of restrictive measures by Argentina on trade and investment in various areas, which include the decision to expropriate the majority stake held by the Spanish company Repsol in YPF.

In the view of Spain, the measures by Argentina constitute a test case of the European Union resolve to defend European trade and investment interests in third countries.

Spain wishes to thank again the Commission for the commitment shown so far on this issue, and in particular for the support shown by President Barroso and the High Representative, Mrs. Ashton, as well as by other EU Member States on various occasions.

The Argentinian government has, however, not relented in their restrictive and discriminatory trade and investment practices despite the reactions by some key trading partners.

Spain wishes to stress that all appropriate options and fora should be considered in order to react to the measures adopted by Argentina in various fields. The EU should maintain the necessary pressure through the WTO, where this is warranted, and also in other fora such as the G-20 or the OECD. Consideration of other possible avenues to react to Argentina's restrictive measures that have been discussed in the past weeks should continue to be pursued expeditiously, including the possibility of withdrawing preferences granted under the EU Generalised System of Preferences. Spain continues also to reflect about other possible ways of countering the current attitude by Argentina, for example by taking a strong stance International Financial Institutions, and invites the Commission to explore other alternatives that may be appropriate.