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EDITORIAL

The Latin American Journal of European Studies is an open-access, double-blind peer-reviewed publication of the Latin American Center of European Studies (LACES), supported by the Jean Monnet Network Policy Debate “BRIDGE Watch: Values and Democracy in the EU and Latin America” (Project ID 101126807), co-funded by the Erasmus+ Programme of the European Union. Published twice a year in English, Spanish, and Portuguese, the journal aims to foster academic dialogue, comparative research, and the exchange of best practices between the European Union and Latin America.

This eleventh issue of the Latin American Journal of European Studies presents the dossier “Free and Fair Trade and Inclusive Economies”, dedicated to examining the contemporary challenges of international trade, economic justice, sustainability, regulatory cooperation, and inclusive development from a Euro-Latin American perspective. In a global context increasingly shaped by geopolitical tensions, climate regulation, digital and industrial transformations, and persistent North–South asymmetries, the articles gathered in this volume question the adequacy of a purely liberalizing understanding of international trade. They examine trade as a legal and institutional field in which market access, regulatory power, distributive justice, environmental protection, and social inclusion are increasingly intertwined.. The underlying premise of the dossier is that free trade and fair trade should not be treated as mutually exclusive paradigms, but as interdependent dimensions of a more demanding model of economic integration, one that requires institutional safeguards, sustainability standards, and mechanisms capable of addressing structural inequalities.

The theme of this issue also guided the XI Jean Monnet Network BRIDGE Watch Seminar, held from April 13 to 15, 2026, at the University of Lisbon, Portugal, under the title “Fair and Free Trade for Inclusive Economies.” The Seminar provided the intellectual framework from which many of the contributions in this dossier emerged, consolidating an interdisciplinary debate on trade,

sustainability, economic inclusion, and EU–Latin America relations. The hybrid event brought together 57 speakers from 14 countries, including academics, policymakers, diplomats, practitioners, and students, to discuss international trade, sustainability, economic inclusion, and EU–Latin America relations.

The Workshop “Fair and Free Trade for Inclusive Economies” featured the presentations of 17 papers, authored by researchers from different countries. The papers were carefully chosen by the Scientific Committee, which included Professors Nuno Cunha Rodrigues (Universidade de Lisboa, Portugal), Aline Beltrame de Moura (Universidade Federal de Santa Catarina, Brazil) and Rute Gil Saraiva (Universidade de Lisboa, Portugal). Following their presentation at the Workshop, the selected papers submitted for publication in this issue also underwent the journal’s double-blind peer-review process.

The opening article, *Beyond Climate Compliance: Procedural Fairness, Exporter Inclusion, and Dispute Prevention under the EU Carbon Border Adjustment Mechanism*, by Antonio Lopo Martinez, winner of the Jean Monnet BRIDGE Watch Scientific Merit Award, examines carbon border measures as hybrid regulatory instruments that combine climate policy with features of tax and customs administration. Focusing on the European Union’s Carbon Border Adjustment Mechanism, the article develops a fair-treatment framework centered on procedural fairness, exporter inclusion, and dispute prevention. By mapping the exporter’s procedural journey and proposing safeguards such as notice, access to evidence, proportional enforcement, and effective appeal, the study shows that the legitimacy of climate-related trade measures depends not only on their environmental objectives, but also on the procedural guarantees offered to exporters, particularly in contexts marked by regulatory asymmetries.

The dossier then turns to broader conceptual foundations. In *¿Comercio libre o comercio justo? El papel de los actos económicos en el contexto de los debates de ideas* (*Free Trade or Fair Trade? The Role of Economic Acts in the Context of Debates of Ideas*), Pablo Guerra revisits the historical and ethical debates surrounding commerce, freedom, and justice. Moving from Aristotelian

thought and medieval economic morality to modern liberalism and contemporary fair trade movements, the article argues that sustainable societies require trade to be as free as possible, but always guided by social and environmental justice. This theoretical reflection frames the remaining contributions by situating the tension between free trade and fair trade within a longer genealogy of economic and ethical thought.

In *Comercio libre y justo como pilares de las economías inclusivas (Free and Fair Trade as Pillars of Inclusive Economies)*, Liliana Bertoni deepens this discussion by analyzing the evolution of world trade and its relationship with the formation of a new international society. The article highlights the role of trade in economic transformation, with particular attention to China's rise in the global economy, while emphasizing the convergence between free trade and fair trade as a driver of inclusive economies. By linking economic growth to social justice, environmental sustainability, and the reduction of inequalities, the article connects the debate on trade liberalization to the institutional conditions required for inclusive prosperity, social well-being, and the reduction of structural inequalities..

The relationship between trade and sustainability is further developed in *Comércio e desenvolvimento sustentável: uma análise crítica do novo modelo de normas laborais consagrado nos acordos comerciais celebrados pela União Europeia (Trade and Sustainable Development: A Critical Analysis of the New Model of Labour Standards Enshrined in Trade Agreements Concluded by the European Union)*, by Patrícia Ponte Bastos. The article examines the historically controversial relationship between international trade and labour standards, focusing on the European Union's preferential trade agreements and their trade and sustainable development chapters. Through the analysis of the EU's promotional model of labour provisions, especially since the EU–Korea agreement, the study reflects on the potential and limitations of trade agreements as instruments for advancing the international protection of workers' rights.

Continuing the analysis of European regulatory instruments, *Fair Trade or Hidden Barriers? Legal Challenges from TFEU to FTAs for Inclusive Economic Cooperation within the Precautionary Principle*, by Amon Elpidio da Silva and Melina Coelho Garcia, investigates the role of the precautionary principle in European Union law and in free trade agreements. Focusing on the EU–Mercosur Association Agreement, the article asks whether precautionary measures promote inclusive cooperation or operate as disguised non-tariff barriers that disadvantage emerging economies. Through an empirical-analytical methodology and a jurimetrics approach, the study highlights the need for judicial reciprocity, science-based transparency, and coherence between the EU's internal and external application of precautionary standards.

The dossier then turns to the EU–Mercosur Agreement as a privileged case study for examining the interaction between trade liberalization, regulatory extraterritoriality, institutional asymmetries, and development strategies in the Global South. In *Liberalismo econômico, extraterritorialidade regulatória e assimetria centro-periferia no Acordo Mercosul–União Europeia (Economic Liberalism, Regulatory Extraterritoriality and Center–Periphery Asymmetry in the Mercosur–European Union Agreement)*, Graziela de Araújo Modesto and João Paulo Modesto da Silva examine the distributive and institutional effects of the agreement from a critical and structural perspective. Drawing on Public International Law, international political economy, ECLAC structuralism, and Dependency Theory, the article analyzes how trade liberalization may reproduce center–periphery asymmetries if not accompanied by binding mechanisms for socio-environmental protection, technical cooperation, and value-added policies. The article also addresses European regulatory extraterritoriality and its implications for the legitimacy of market-access requirements imposed on Mercosur countries.

In *A importância das indicações geográficas no contexto do Acordo União Europeia-Mercosul: assimetrias institucionais, modelos de proteção e desafios de implementação (The Importance of Geographical Indications in the Con-*

text of the European Union–Mercosur Agreement: Institutional Asymmetries, Protection Models and Implementation Challenges), Anita Mattes and Naiara Posenato examine the legal framework of Geographical Indications within the Partnership Agreement and the Interim Trade Agreement between the European Union and Mercosur. The article identifies institutional asymmetries between the two blocs and explores the challenges of implementing geographical indications in Global South territories. The article argues that the effectiveness of geographical indications depends not only on their formal recognition in trade agreements, but also on the existence of coherent legal frameworks, institutional capacities, and territorial governance mechanisms capable of transforming them into instruments of local development and collective value creation.

The EU–Mercosur axis is also explored in *Livre circulação e soberania cultural no comércio internacional de arte: o potencial de aproximação regulatória entre a União Europeia e o Brasil à luz do Acordo UE-Mercosul* (*Free Movement and Cultural Sovereignty in the International Art Trade: The Potential for Regulatory Approximation between the European Union and Brazil in Light of the EU–Mercosur Agreement*), by Yasmin de Méro Omena and Pedro Augusto de Albuquerque. The article analyzes the protection of cultural heritage in the context of international art trade, addressing the tension between free movement and cultural sovereignty. Through a comparative legal approach, it examines international instruments, the European Union regime on the export, import, and restitution of cultural goods, and the Brazilian constitutional and legal framework for cultural heritage protection. The study concludes that the EU–Mercosur Agreement may serve as a platform for minimum regulatory approximation, provided that European models are not automatically transplanted to Brazil.

The following articles shift the focus from interregional agreements and regulatory frameworks to situated Latin American experiences, showing how global trade standards interact with local economies, vulnerable actors, environmental constraints, and institutional deficits. In *O comércio justo como instrumento de justiça econômica: uma análise do campesinato em Honduras frente às*

normas de sustentabilidade da União Europeia (Fair Trade as an Instrument of Economic Justice: An Analysis of the Peasantry in Honduras in Light of the European Union's Sustainability Standards), Leandro Rodrigues Lopes, Lucimara de Nazaré Rodrigues Lopes de Freitas, and Mayany Soares Salgado investigate the relationship between peasant movements and fair trade in Latin America, focusing on experiences in Honduras. Grounded in Gramscian theory, the article analyzes fair trade as a counter-hegemonic practice capable of strengthening rural autonomy and resisting structural inequalities. It also discusses how fair trade may operate as a mechanism of compliance with sustainability and due diligence standards required by the European market.

In *From Extractivism to Responsible Trade: Environmental Sustainability, Climate Crisis and EU-Bolivia Commercial Relations*, Fabricio Alejandro Machicado Borja, Vladimir Alejandro Machicado Borja, and Edwin Alejandro Machicado Rocha analyze the agroexport model of eastern Bolivia through the lens of agricultural extractivism. Focusing on the soy sector in Santa Cruz, the article examines how agricultural frontier expansion, deforestation, agrochemical use, and export-oriented accumulation challenge the requirements of responsible trade and environmental sustainability promoted by the European Union. The study argues that long-term commercial relations between Latin America and the EU require not only technical adjustments, but structural transformations in value chain governance and the inclusion of smallholders in certification schemes.

Closing the dossier, *Déficit de gobernanza constitucional y daño patrimonial en Bolivia: el procedimiento bifásico del amparo como obstáculo para la justicia económica, el equilibrio social y la construcción de relaciones comerciales inclusivas con la Unión Europea (Constitutional Governance Deficit and Patrimonial Damage in Bolivia: The Biphaseic Amparo Procedure as an Obstacle to Economic Justice, Social Equilibrium and the Construction of Inclusive Trade Relations with the European Union)*, by Luis Gabriel Duchén, analyzes the procedural shortcomings of the Bolivian constitutional protection system. The article argues

that the lack of mechanisms for protecting assets in cases of delayed annulment of rulings by the Plurinational Constitutional Court creates irreparable financial harm for vulnerable economic actors. By linking constitutional governance, economic justice, and inclusive trade relations with the European Union, the study proposes concrete steps for regulatory reform.

The issue also includes a section of articles that broadens the thematic scope of the volume while preserving its central concern with the legal and institutional conditions of sustainability, governance, technological transformation, and human rights protection. In *Visión constitucional de la transición verde: experiencias de Bolivia y Ecuador* (*Constitutional Vision of the Green Transition: Experiences from Bolivia and Ecuador*), Juan David examines the constitutional recognition of the green transition and the rights of Mother Earth in Bolivia and Ecuador. The article analyzes how these constitutional experiences are linked to indigenous peoples' rights, biodiversity protection, and the framework of Buen Vivir, while also identifying the tensions between constitutional commitments, judicial decisions, corporate interests, and development dynamics.

In *Inteligencia artificial, brecha digital y los desafíos de América Latina ante la nueva economía global* (*Artificial Intelligence, Digital Divide and the Challenges of Latin America in the New Global Economy*), Cecilia Celeste Danesi analyzes the emergence of artificial intelligence as a structuring force of the global economy and its implications for Latin America and the Caribbean. The article examines the region's position in relation to infrastructure, talent, research, governance, and strategic mineral resources, arguing that AI may deepen existing structural dependencies if Latin America remains a consumer of technologies it does not develop and an exporter of minerals it does not process. The study proposes a digital equity agenda based on sovereign computing infrastructure, value-added mineral industrialization, and ethical AI governance.

The technological dimension is also present in *Human Trafficking Networks in Europe: Between Digitization of Crime and Policy Response*, by Belkacem Ghania. The article examines human trafficking in Europe through the activities

of organized crime networks and the use of social media platforms. Drawing on legal analysis, Eurostat data, and comparative case studies between Belgium and Germany, the study highlights the relationship between digital platforms and criminal networks, as well as the need for an integrated European strategy that combines legislation, institutional coordination, victim protection, and technological oversight.

In *Estudio de la jurisprudencia europea y americana sobre el impacto de las solicitudes de asilo en los procedimientos de restitución de menores* (A Study of European and American Case Law on the Impact of Asylum Applications on Child Return Proceedings), Antonio Jesús Calzado Llamas examines the interaction between international child return proceedings and asylum applications. Through a systematic study of European and American case law and doctrine, the article analyzes how asylum requests may affect the qualification of wrongful removal or retention, the grounds for refusing return, and the possible suspension of return proceedings. The study underscores the need for clearer coordination rules and institutional guidelines to avoid contradictory decisions and strengthen the protection of children in cross-border disputes.

As editors of this issue, we extend our sincere gratitude to all authors, reviewers, and contributors whose intellectual commitment made this eleventh edition of the Latin American Journal of European Studies possible. We hope that the reflections gathered here will contribute to advancing the dialogue between Latin America and Europe on free and fair trade, inclusive economies, sustainability, and regulatory cooperation. At a time when international trade is increasingly shaped by climate measures, technological transformations, social inequalities, and geopolitical tensions, the articles in this volume invite us to rethink the legal and institutional conditions under which trade can contribute to more inclusive economies. Taken together, they suggest that the legitimacy of contemporary trade regimes depends not only on market openness, but also on their capacity to address distributive effects, regulatory asymmetries,

environmental limits, and the participation of actors traditionally excluded from global value chains.

Aline Beltrame de Moura & Naiara Posenato