



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR TRADE

Directorate F – Enforcement, Market access, SMEs, Legal affairs and Technology  
Unit F1 – Single entry point on Enforcement, Market access and SMEs

## TSD/GSP COMPLAINT FORM

**relating to alleged violations of commitments stemming from free trade agreements (FTA) concluded by the European Union or Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences (GSP) and repealing Council Regulation (EC) No 732/2008<sup>1</sup>**

- You can find more details on the application of the Single Entry Point (SEP) in the operational guidelines: [https://trade.ec.europa.eu/access-to-markets/en/form-assets/operational\\_guidelines.pdf](https://trade.ec.europa.eu/access-to-markets/en/form-assets/operational_guidelines.pdf)
- Before filling in this form on the website, check if your problem is already registered. To this effect, please contact the Single Entry Point at the following email address: TRADE-SINGLE-ENTRY-POINT@ec.europa.eu.

### CONFIDENTIALITY

- The European Commission will treat information received on a confidential basis<sup>2</sup>.
- Indicate whether you agree with the publication of your complaint, or whether you wish that (parts of) the information provided remain confidential.
- In case of questions regarding confidentiality, please contact the Single Entry Point at the following email address: TRADE-SINGLE-ENTRY-POINT@ec.europa.eu.

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<sup>1</sup> Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008, OJ L 303, 31.10.2012, p. 1–82.

The Single Entry Point (SEP) will only receive complaints concerning market access, TSD or GSP issues and will not deal with trade defence issues (anti-dumping, anti-subsidy or safeguards). If you wish to submit a Trade Defence Instruments complaint, you should contact the appropriate service in DG TRADE. You can find more information at the following address: <https://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>.

Should the complaint concern an alleged breach by a Member State of EU law (including international agreements) refer to the following website for further information: [https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/complaints-about-breaches-eu-law/how-make-complaint-eu-level\\_en#administrative-steps-to-submit-a-complaint-to-the-european-commission](https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/complaints-about-breaches-eu-law/how-make-complaint-eu-level_en#administrative-steps-to-submit-a-complaint-to-the-european-commission)

<sup>2</sup> All information collected through the use of the online-forms on this web page is treated as "Commission Use" in accordance with the security notice [C\(2019\) 1903](#) of 5.3.2019 implementing Article 9(2) of Decision (EU, Euratom) 2015/443. A reference is also made to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

**1. IDENTITY OF THE COMPLAINANT**

**1.1. First name**

**1.2. Last name**

**1.3. Email**

**1.4. Telephone (including the country calling code)**

**1.5. Correspondence address**

**1.6. Indicate whether the complainant is**

1.6.1. A natural person who is a citizen or permanent resident in a Member State of the European Union (EU); or,

1.6.2. An entity (e.g. an enterprise, trade association or organization of workers or employers) formed in accordance with the law of a Member State of the EU having its registered office, central administration or principal place of business within the EU.

1.6.3. A Member State of the EU

**1.7. Company/Organisation name**

**1.8. If the complainant is a company, provide a description of the corporate structure, business activities and economic sector in which it operates.**

**1.9. Indicate whether the complainant is acting exclusively on its behalf or whether is acting also on behalf of other persons/entities.**

1.9.1. Exclusively on its own behalf

1.9.2. Also on behalf of other persons/entities

**1.10. In the affirmative, provide the information required under 1.6 and 1.8 also for these persons/entities.**

2. 2. Violation of TSD commitments or failure to respect requirements under the GSP regulation **Title / Complaint short description**

**2.2. Country violating TSD commitment or failing to respect requirements under the GSP regulation**

**2.3. Legal basis**

2.3.1. Indicate the legal ground for the complaint, i.e. the provision(s) which you consider has (have) been breached under the TSD commitments in an FTA, or have not been respected under the GSP regulation, which you consider would justify withdrawal of preferences.

**2.4. Factual description of the violation of TSD commitments or failure to respect requirements under the GSP regulation:**

2.4.1. Indicate the measure that you consider breaches TSD commitments or justifies the withdrawal of preferences under the GSP regulation. This should specify whether the measure is a regulatory/legislative instrument (e.g. law, regulation), or a specific practice or conduct of the country (e.g. acts of repression of human rights, decisions by national courts).

2.4.2. If the measure under point 2.4.1 amounts to a legislative instrument:

2.4.2.1. *Provide the text of the measure and if possible, an English translation and indicate whether the measure is in force, and if so, when it entered into force (or if not, when it is expected to be approved).*

2.4.3. If the measure is not a legislative instrument but a practice:

2.4.3.1. *Provide any available evidence of such practice, including written documents (e.g. guidelines) issued by the third country proving the existence of such practice, evidence from recognised international bodies, witness statements, records (including translation in English if possible);*

2.4.3.2. *Indicate the sources of the information/evidence, if possible with an English translation;*

2.4.4. In case the complaint alleges violation(s) of TSD commitments, explain why and how such TSD commitment(s) are violated (e.g. is the domestic legislation breaching TSD commitments, or is the violation due to weak implementation? ); and

2.4.5. In case the complaint alleges that GSP preferences should be withdrawn with respect to a third country, explain why and how the grounds for initiating a withdrawal procedure are met (e.g. serious and systematic violation of the principles of human rights conventions).

**3. IMPACT AND SERIOUSNESS/GRAVITY OF THE BREACH OF TSD COMMITMENTS OR FAILURE TO RESPECT REQUIREMENTS UNDER THE GSP REGULATION**

**3.1. Factual description of the measure's effects (provide supporting evidence and sources used)**

- 3.1.1. Provide sufficient elements for the Commission to assess the seriousness of the TSD breach by the trading partner and the consequence for or damage caused to the environment or workers in the trading partner, as well as economic consequences for EU operators trading with or investing in the trading partner or EU companies competing on the EU market with imported goods or services produced in the countries violating labour or environmental obligations (including impact on Small and Medium Enterprises (SMEs) where applicable));
- 3.1.2. Provide sufficient elements for the Commission to assess the seriousness of failure to comply with the requirements under the GSP regulation (i.e. the serious and systematic violation of principles laid down in relevant conventions, etc.), which you consider would justify withdrawal of preferences; and
- 3.1.3. Provide any other considerations that you consider relevant, for instance, how the measure affects wider EU interests.

**4. ACTIONS**

**4.1. Indicate if you or another actor (to your knowledge) have/has taken any action before the appropriate national authorities or courts of the country being complained against to seek relief against the alleged breach of TSD commitments or the alleged failure to respect requirements under the GSP regulation. In the affirmative:**

- 4.1.1. Indicate the type of action taken and the authority or court sought;
- 4.1.2. Indicate the outcome of the action;
- 4.1.3. If you consider that the outcome is not appropriate to stop the breach of TSD commitments or failure to respect requirements under the GSP regulation, explain why; and,
- 4.1.4. If you consider the outcome is appropriate to stop the breach of TSD commitments or the failure to respect requirements under the GSP regulation, explain how the country being complained against has failed to implement that outcome.

**4.2. Indicate if the appropriate international organisation(s) (for example, International Labour Organization) has undertaken any action in relation to the alleged breach of TSD commitments or the alleged failure to respect requirements under the GSP regulation. In the affirmative:**

- 4.2.1. Indicate the international organisation which has or is examining the measure;
  - 4.2.2. Indicate the type of analysis performed and the conclusion reached and provide a copy thereof;
  - 4.2.3. If you consider that the outcome is not appropriate to stop the breach of TSD commitments or failure to respect requirements under the GSP regulation, explain why; and,
  - 4.2.4. If you consider the outcome is appropriate to stop the breach of TSD commitments or failure to respect requirements under the GSP regulation, explain how the country being complained against has failed to implement that outcome.
- 4.3. Indicate if you are aware that actors from a third country are also concerned by the regulation/practice and if they have sought help from their government. Provide information on the state of play.**
- 4.4. Indicate if you or another actor you are aware of has approached the Commission's services or any other EU institution concerning the same issue. In the affirmative, please indicate the service/institution contacted and attach copy of correspondence.**
- 4.5. Indicate what you expect/ask the EU to do to resolve the issue.**

## **5. CONFIDENTIALITY**

The Commission will treat information received on a confidential basis where there are reasonable grounds justifying such confidential treatment.

Indicate whether you agree with the publication of your complaint, or whether you wish that (parts of) the information provided remain confidential.

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