Draft ID: 85a19800-0e54-4346-ba42-a60a8d3aac75

Date: 03/06/2020 13:35:09

Online Public Consultation on a new Regulation establishing the European Union's Generalised Scheme of Preferences (GSP)

Fields marked with * are mandatory.

Α

Introduction

About the EU Generalised Scheme of Preferences (GSP)

In 1971, the EU introduced a Generalised Scheme of Preferences (GSP) as part of its external trade policy. The rationale of the GSP is to offer easier access to the EU market in order to promote sustainable economic, social and environmental development in developing countries – in particular, the poorest and most vulnerable ones – with the primary objective of reducing poverty. Increased access to the EU market helps developing countries generate additional revenue through international trade, which can be reinvested to foster sustainable development, including the promotion and protection of human rights and labour rights and diversify their economies.

The GSP scheme offers easier access to the EU market for goods exported from developing countries by eliminating or reducing import tariffs *unilaterally* (i.e. on a non-reciprocal basis). Through GSP, the EU also supports developing countries' efforts to achieve sustainable development. The use of tariff reductions as an incentive to promote respect for human rights, labour rights, environmental protection and good governance is an integral part of the European Commission's **Trade for All** strategy.

The scheme operates on the basis of Regulation (EU) No 978/2012 of the European Parliament and the Council of 25 October 2012 (the "GSP Regulation"). That regulation will expire on 31 December 2023. Without the adoption of a new GSP Regulation by the EU, imports from developing countries under the scheme would pay higher duties as from 1 January 2024 — except for imports from the Least Developed Countries (LDCs) which would still be covered by the open-ended "Everything But Arms" (EBA) regime. Higher duties could, depending on how much a beneficiary country exports to the EU, negatively affect growth, employment and investment.

The GSP Regulation sets up three distinct arrangements, adapted to the needs of different categories of beneficiary

- 1. Standard GSP for low and lower-middle income countries. This means a partial or full removal of customs duties on two-thirds of the EU's tariff lines;
- 2. **GSP+**: the special incentive arrangement for sustainable development and good governance. It reduces these same tariffs to 0% for "vulnerable" low and lower-middle income countries that have ratified and implement 27 international conventions related to human rights, labour rights, protection of the environment and good governance. To qualify for GSP+, the beneficiary countries must be developing countries that are considered to be "vulnerable" on account of the low level of diversification of their exports to the EU, and their insufficient integration in the international trading s y s t e m .
- 3. **EBA** ("Everything But Arms"): the special arrangement for least developed countries (LDCs), providing them with duty-free, quota-free access to the EU for all products except arms and ammunition.

List of GSP beneficiary countries (as of 01 January 2019)

About the review of the EU GSP

A recent <u>midterm evaluation</u> published in October 2018 concluded that the current GSP framework is effective and it is delivering on its objectives. The midterm evaluation also found areas for improvement, including the GSP's contribution to export diversification, sustainable development and the protection of the EU's economic and financial interests.

The European Parliament adopted a non-legislative resolution on the implementation of the GSP Regulation on 14 March 2019. The resolution acknowledges the positive impact the GSP Regulation has had on developing countries and makes a number of recommendations for the review of the GSP Regulation. Recommendations focus on encouraging export diversification, placing more emphasis on improving environmental standards, stakeholder engagement and better monitoring of the implementation of the GSP.

On 13 May 2019, the Commission launched the preparations for a new GSP Regulation by publishing an Impact Assessment.

The present review of the GSP Regulation takes into consideration the recognition that the economic and social problems of developing countries cannot be solved exclusively by means of trade instruments like the GSP. To achieve that objective, a comprehensive toolbox is needed, of which trade instruments are a part. EU action in this area must also comply with the relevant international legal framework, in particular the requirements of the **WTO Enabling Clause**, which allows developed countries to grant unilateral and non-reciprocal trade preferences to developing countries "to respond positively to the development, financial and trade needs of developing countries".

About this survey

The purpose of the present consultation is to gather input to the Commission's work on preparing a future proposal to the Council and Parliament for a regulation to replace the current GSP Regulation upon its $e \times p + i \times r \times y$.

All citizens, organisations and public authorities, wherever in the world they are located, are welcome to participate in this survey.

The survey consists of 12 sections (A to L). This first section (A) provides contextual and explanatory information. The second section (B) collects information about the respondent. The substantive questions are located in sections C to K. The final section (L) provides a space where – if you wish to do so – you can submit further information (such as a position paper) to the European Commission.

The odd-numbered questions in sections **C** to **F** (except questions E3 and E5) are compulsory; so are the questions in section **B**. All other questions are optional.

The questions in sections G to K are likely to be of particular interest to the business community, but anyone who wishes to do so may respond to them.

NB. This consultation does not concern issues related to the rules of origin applied under the GSP, as these are set out in a separate legal instrument.

B About you

*B.1 Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

B.2 I am giving my contribution as

B.4 Surname Özdemir B.5 Email (this won't be published) murat.oezdemir@ave-intl.de B.7 Organisation name 255 character(s) maximum AVE International B.8 Organisation size Micro (1 to 9 employees) Small (10 to 49 employees) Medium (50 to 249 employees) Large (250 or more) B.9 Transparency register number 255 character(s) maximum Check it your organisation is on the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making. 663095315894-59 B.10 Country of origin Please add your country of origin, or that of your organisation. Afghanistan Djibouti Libya Saint Martin Saint Pierre and Miquelon Albania Lithuania		 Business association Company/business organisation Consumer organisation EU citizen Environmental organisation Non-EU citizen Non-governmental organisation (NGC) Public authority Trade union Other))	
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Academic/research institution

	Dominican Republic		Saint Vincent and the Grenadines
AlgeriaAmericanSamoa	EcuadorEgypt	LuxembourgMacau	SamoaSan Marino
Andorra	El Salvador	Madagascar	São Tomé and Príncipe
Angola	EquatorialGuinea	Malawi	Saudi Arabia
Anguilla	Eritrea	Malaysia	Senegal
Antarctica	Estonia	Maldives	Serbia
Antigua and Barbuda	Eswatini	Mali	Seychelles
Argentina	Ethiopia	Malta	Sierra Leone
Armenia	Falkland Islands	s Marshall Islands	Singapore
Aruba	Faroe Islands	Martinique	Sint Maarten
Australia	Fiji	Mauritania	Slovakia
Austria	Finland	Mauritius	Slovenia
Azerbaijan	France	Mayotte	SolomonIslands
Bahamas	French Guiana	Mexico	Somalia
Bahrain	French	Micronesia	South Africa
	Polynesia		
Bangladesh	French Southern and Antarctic Lands	Moldova	 South Georgia and the South Sandwich Islands
Barbados	Gabon	Monaco	South Korea
Belarus	Georgia	Mongolia	South Sudan
Belgium	Germany	Montenegro	Spain
Belize	Ghana	Montserrat	Sri Lanka
Benin	Gibraltar	Morocco	Sudan
Bermuda	Greece	Mozambique	Suriname
Bhutan	Greenland	Myanmar /Burma	Svalbard and Jan Mayen
Bolivia	Grenada	Namibia	Sweden
Bonaire Saint Eustatius and	Guadeloupe	Nauru	Switzerland
Saba			
Bosnia and Herzegovina	Guam	Nepal	Syria
Botswana	Guatemala	Netherlands	Taiwan
Bouvet Island	Guernsey	New Caledonia	Tajikistan
Brazil	Guinea	New Zealand	Tanzania
British Indian Ocean Territory	Guinea-Bissau	Nicaragua	Thailand

British Virgin Islands	Guyana	Niger	The Gambia
BruneiBulgaria	HaitiHeard Island and McDonald Islands	NigeriaNiue	Timor-LesteTogo
Burkina FasoBurundi	HondurasHong Kong	Norfolk IslandNorthernMariana Islands	TokelauTonga
Cambodia	Hungary	North Korea	Trinidad and Tobago
Cameroon	Iceland	NorthMacedonia	Tunisia
Canada	India	Norway	Turkey
Cape Verde	Indonesia	Oman Oman	Turkmenistan
Cayman Islands	Iran	Pakistan	Turks and
,			Caicos Islands
Central African	Iraq	Palau	Tuvalu
Republic	·		
Chad	Ireland	Palestine	Uganda
Chile	Isle of Man	Panama	Ukraine
China	Israel	Papua New	United Arab
		Guinea	Emirates
Christmas	Italy	Paraguay	United
Island			Kingdom
Clipperton	Jamaica	Peru	United States
Cocos (Keeling) Islands	Japan	Philippines	United StatesMinor OutlyingIslands
Colombia	Jersey	Pitcairn Islands	Uruguay
Comoros	Jordan	Poland	US Virgin
			Islands
Congo	Kazakhstan	Portugal	Uzbekistan
Cook Islands	Kenya	Puerto Rico	Vanuatu
Costa Rica	Kiribati	Qatar	Vatican City
Côte d'Ivoire	Kosovo	Réunion	Venezuela
Croatia	Kuwait	Romania	VietnamWallia and
Cuba	Kyrgyzstan	Russia	Wallis and Future
Ouross		Duranda	Futuna Western
Curação	Laos	Rwanda	Sahara
Cyprus	Latvia	Saint	Yemen
© Czechia	Lebanon	Barthélemy Saint Helena	Zambia
		Ascension and Tristan da Cunha	
0	Lesotho	©	Zimbabwe

Democratic Saint Kitts and Republic of the Nevis

Congo

Denmark
Liberia
Saint Lucia

*B.11 Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

Public

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

B.12 I agree with the personal data protection provisions

C Your views on the potential of international trade for eradicating poverty; and on the role of the GSP scheme in that regard

*C.1 Do you think that international trade can contribute to eradicating poverty in developing countries?

- Yes, it can make an important contribution
- Yes, but it can make only a minor contribution
- No, international trade has no positive impact on poverty in developing countries
- I don't know

C.2 If you would like to explain or give reasons for your answer, please do so here:

2000 character(s) maximum

Trade executed in a fair and reciprocal way and being accesible to anyone enables individual achievements, such as leaving poverty.

*C.3 How do you think the EU can best support the eradication of poverty in developing countries?

- By helping developing countries to increase their exports to the EU by reducing or eliminating tariffs
- By providing development assistance
- By a combination of the above
- Other (please use the space below to clarify)
- I don't know

C.4 If you would like to explain or give reasons for your answer, please do so here:

2000 character(s) maximum

Trade facilitation with no strings attached, eliminating tariffs is necessary, but not sufficient.

C.5 To what extent do you agree with the following statement?

	Strongly disagree	Disagree	Agree	Strongly agree	I don't know
* " The EU should continue to offer developing countries unilateral access for their exports to the EU (ie, without requiring reciprocal market opening) in order to support the eradication of poverty in those countries."			•		

	C.6 If y	you would	like to ex	plain or	give r	easons	for your	answer,	please	do so	here:
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2000 character(s) maximum						

- *C.7 The current GSP Regulation is the result of a major reform introduced in 2014, which had **three basic objectives**:
 - a) to promote economic development and eradication of poverty in developing countries by reducing or eliminating import tariffs on their eligible exports to the EU;
 - b) to promote sustainable development and respect for human and labour rights in qualifying developing countries by eliminating entirely import tariffs on their eligible exports to the EU;
 - c) to protect the EU's financial and economic interests through adequate safeguards and surveillance in relation to imports causing serious difficulties to Union producers.

Do you think that these objectives are still relevant for the future?

All three objectives are still relevant

.9 Currently the tandard GSP, (vels of tariff incorrumstances of	GSP+ , and entives corr	EBA ("Everytesponding to	hing But A	Arms") – which	ch offer diffe	
hould a new G	_	_	e same s	structure, an	d continue	with
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No, the basI don't know		needs to be	changeu			
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2000 character(s) ma	· •	idin or give re	,430113 101	your answer	, picase ao	30 110
Differentiation bat	ween GSP and	GSP+ needs to be	reallocated,	the advantages to	seize the GSP	with
Differentiation bety	veen der and					
regard to sourcing		neral need to be m	ore attractive	to companies.		
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* the enjoyment of human rights in the beneficiary countries?	on the use the that the Content a strongly negative	e of GSP to rights GSP arrange a somewhat negative	promote ment can	have an impositive impact	a strongly positive impact	I don'

At least one (but not all) of the objectives is still relevant

C.8 If you would like to explain or give reasons for your answer, please do so here:

None of the three objectives are now relevant

I don't know

2000 character(s) maximum

beneficiary countries?						
* the protection of the environment?	•	•	•	•	•	•
* promoting low carbon development?	0	•	0	•	0	•
* increasing resilience of society to climate change impacts?	•	©	•	©	•	•
* combating illegal drug trafficking?	0	0	0	0	0	•
* combating money- laundering and/or the financing of terrorism?	•	©	•	•	•	•
* combating corruption?	0	0	0	•	0	0
* migration flows from beneficiary countries?	0	•	0	•	•	•

D.2 If you would like to explain or give reasons for your answers, please do so here:

2000 character(s) maximum

Prospective exports may be a positive trigger for beneficiary countries. However, the requirements and the monitoring by the EU are not consistent and raise the question why conditions are granted, if these are neglected resp. ignored,

*D.3 In order to qualify for GSP+, beneficiary countries currently have to ratify and effectively implement <u>27 international conventions</u> related to human rights, labour rights, protection of the environment and good governance.

In the list of international conventions, do you think there are some that have become less relevant for promoting respect for core human and labour rights, protection of the environment and good governance?

Yes

- No
- I don't know
- *D.5 Are there other international conventions/agreements that GSP+ beneficiary countries should be required to ratify and implement effectively as a condition for complete elimination of the tariffs paid on their eligible exports to the EU?
 - Yes
 - No
 - I don't know

E Your views on monitoring of compliance with the GSP scheme

Eligibility for the enhanced tariff benefits of GSP+ requires GSP+ beneficiary countries to effectively implement the 27 international conventions specified in the GSP Regulation. The EU regularly monitors the actions taken by governments of GSP+ beneficiary countries in order to implement the conventions.

E.1 In your opinion, is it important for the EU to continue monitoring the level of implementation of the 27 international conventions by GSP+ beneficiary countries?

	Very unimportant	Rather unimportant	Rather important	Very important	I don't know
*	0	0	0	•	0

E.2 If you would like to explain or give reasons for your answer, please do so here:

2000 character(s) maximum

If conditions are granted, they must be monitored, or else the EU will loose credibility. Monitoring should always be followed by the corresponding and necessary action.

E.3 What information source(s) do you consider the most relevant for the EU to take into account when monitoring the implementation of the international conventions?

You can choose more than one response

- Reports of the UN (United Nations) and ILO (International Labour Organization) and other international organizations
- Information published by the government of the beneficiary country
- Information provided directly to the EU by the government of the beneficiary country
- Information provided by the European Parliament
- Information provided by EU member states
- Information provided by businesses, or by workers' or employers' organizations in the beneficiary country

1

Information provided by NGOs (non-governmental organizations) involved in human and labour rights, protection of the environment, and good governance; by human rights defenders; or by journalists or others from broadcast or print media

Other (please use the space below to clarify)

E.4 If you would like to explain or give reasons for your answer, please do so here:				
20	00 character(s) maximum			

E.5 Do you think that the EU's monitoring process should be made more transparent? If so, how?

2000 character(s) maximum

Yes; the latter case of Cambodia showed that not all assessments were transparent along the way, there were always parties better informed than parties having a physical distance to Commission Staff. Information should be made available on the same level to any party as this does not hurt principle of confidentiality.

F Your views on withdrawal of GSP benefits

The EU may withdraw GSP benefits from a beneficiary country under **any** of the three GSP arrangements (Standard GSP, GSP+ and EBA) for "serious and systematic violations of principles laid down" in the international human and labour rights conventions listed in the Regulation.

Making GSP benefits conditional upon the continuing respect of beneficiary countries for fundamental principles of human and labour rights offers both advantages and risks in relation to the actual achievement of set objectives.

Making GSP benefits conditional in this way can also have unintended consequences, depending on the variety of circumstances, needs and specificities of beneficiary countries.

- *F.1 In your opinion, can withdrawal of GSP benefits from a beneficiary country contribute to ending or improving situations where human and/or labour rights are seriously and systematically violated?
 - Yes, it can make an important contribution
 - Yes, but it can make only a minor contribution
 - No, withdrawal of GSP benefits will have no impact on situations where human and/or labour rights are seriously and systematically violated
 - No, withdrawal of GSP benefits will have further negative impacts on situations where human and/or labour rights are seriously and systematically violated
 - I don't know

F.2 If you would like to explain or give reasons for your answer, please do so here:

2000	characte	ar(s) m	aximum

F.3 Do you think that withdrawing GSP benefits from a beneficiary country can have an impact on...

	a strongly negative impact	a somewhat negative impact	no impact	a somewhat positive impact	a strongly positive impact	l don't know
* employment and social development in the beneficiary country?	•	©	•	•	•	•
* reduction of poverty in the beneficiary country?	•	©	•	•	•	•
* the EU's political and diplomatic relations with the beneficiary country?	•	©	©	©	©	©
* protection of the environment in the beneficiary country?	©	•	•	©	©	©
* migration flows from the beneficiary country?	©	©	0	©	©	•

F.4 If y	you would	like to	explain or	give	reasons t	for your	answers, p	olease c	lo so	here:
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_	character(s) maximum	

F.5 To what extent do you agree with the following statement?

	Strongly disagree	Disagree	Agree	Strongly agree	I don't know
* " If there is sufficient information which indicates that a beneficiary country is violating core human and/or labour rights, the EU should immediately engage with the country and use its leverage to push it to resolve the violation; and — in case of failure to do so — the EU should initiate a procedure for withdrawal of the GSP benefits."					

F.6 If you would like to explain or give reasons for your answer, please do so here:

2000 character(s) maximum

The trade area is essential, but should not be the sole playground to promote the implementation and progress of human and labour rights; if the latter ones are conditional, the EU needs to be consistent and consequent towards all beneficiaries.

*F.7 Under the present GSP Regulation, the EU can withdraw standard GSP and EBA benefits only in the case of serious and systematic violations by beneficiary countries of principles laid down in certain human rights and labour rights conventions.

Do you think that this should also be the case for serious and systematic violations of the principles laid down in international conventions related to the protection of the environment (including climate change), and good governance?

- Yes
- No

F.8 If you would like to explain or give reasons for your answer, please do so here If possible, provide arguments either for or against expanding the basis for temporary withdrawal of standard GSP and EBA benefits: 2000 character(s) maximum					
G Your views on beneficiary countries					
GSP beneficiary countries with large economies that develop a more competitive and diversified export sector over time could crowd out the export potential of other beneficiary countries that are more vulnerable. The reform of the GSP Regulation in 2012 aimed precisely at focusing the benefits of the EU's GSP scheme on the countries most in need , and resulted in a lower number of beneficiary countries.					
G.1 Looking at the list of all the countries that currently benefit from GSP, do you think there should be an even tighter focus on the countries most in need? O Yes O No O I don't know G.2 If you would like to explain or give reasons for your answer, please do so here: 2000 character(s) maximum					
G.3 Are there any specific developing countries which currently do not benefit from the EU's GSP scheme – but in your view, should do so? If so, please state which ones, and why. 2000 character(s) maximum					
H Your views on product coverage (for Standard GSP and GSP+ arrangements)					

I don't know

The list of eligible products included in the Standard GSP arrangement is set out in $\frac{\text{Annex V}}{\text{CSP}}$ of the current GSP Regulation. The list of eligible products included in the GSP+ arrangement is set out in $\frac{\text{Annex IX}}{\text{Annex IX}}$ of the same regulation.

The EU is examining and reflecting upon the list of eligible products under Standard GSP	. One option
under consideration could be to prioritize sustainably produced products.	

H.1 Do you think that sustainably produced products could make an important contribution (as part of a revised GSP scheme) to the objectives of eradication of poverty and support for sustainable development? O Yes No I don't know
H.3 An expanded product coverage under the EU's revised GSP scheme might contribute positively to export diversification in GSP beneficiary countries.
Do you think that the EU's GSP scheme should be expanded so as to cover a wider range of products – even if this could result in increased import competition for EU industries?
H.4 If your answer is "yes", in which product sectors/categories? You can choose more than one response Agricultural products and processed food Industrial and manufactured products Environmentally-friendly goods Other (please use the space below to specify)
H.5 If you would like to explain or give reasons for your answer, please do so here: 2000 character(s) maximum
H.6 Are there products listed in Annex V (for Standard GSP) or in Annex IX (for GSP+) of the current GSP Regulation which in your view should no longer be covered by the EU's revised GSP scheme? If so, please state which products, and why. 2000 character(s) maximum
Your views on product graduation

"Product graduation" removes GSP benefits **for a specific category of products** from a particular country that benefits from the Standard GSP arrangement when imports into of the EU of that category of products

from that particular country have reached a certain level.

The rationale is that GSP benefits are no longer needed to support the country's exports of those products.

I.1 Do you think that the EU should maintain product graduation in a revised GSP scheme?

- Yes
- No
- I don't know

I.3 Under the present GSP Regulation, product graduation applies only to Standard GSP beneficiary countries. Product graduation does not apply to either GSP+ or EBA beneficiary countries, which share a similar economic profile that makes them vulnerable on account of their low, non-diversified export base.

Should product graduation apply to GSP+ and EBA beneficiary countries as well?

- Yes, to GSP+ beneficiary countries only
- Yes, to EBA beneficiary countries only
- Yes, to both GSP+ and EBA beneficiary countries
- No
- I don't know

I.5 Product graduation currently applies to a group of related products ("product sections"), rather than to individual products.

Applying product graduation to a group of related products reduces the unpredictability that would arise – if graduation were applied to individual products – because of fluctuating levels of imports of those products.

What are your views on the way product graduation applies currently?

-(UUU CNARACTER(S) MAXIMUM
	Unable to make a resilient assessment.

J Your views on country graduation

For a country that because of its economic growth is no longer classified by the United Nations as a least developed country (LDC), a **transitional period** of three years is provided in order to alleviate any adverse effect caused by the ending of tariff elimination granted under the EBA arrangement. Transition of EBA beneficiary countries to another GSP arrangement (GSP+ or Standard GSP) also entails the application of more stringent rules of origin.

J.1 Do you think that the transitional period should be...

- Extended
- Reduced

- Kept unchanged
- I don't know

K Your views on safeguard mechanisms

The current GSP Regulation includes **safeguard mechanisms** that allow the EU to withdraw GSP preferences for imports of a specific product from a specific GSP beneficiary country if it is demonstrated that such imports hurt or can hurt EU producers.

K.1 To what extent do you agree with the following statement?

	Strongly disagree	Disagree	Agree	Strongly agree	I don't know
"The GSP Regulation should provide safeguard mechanisms in order to protect EU producers — despite the risk that use of the safeguard mechanisms may have negative consequences for developing countries."	•	•	•	•	

K.2 If you would like to	explain or give	reasons for your	answer, please	do so here:

2000 character(s) maximum						

K.3 The current GSP Regulation contains two safeguard mechanisms: a general safeguard mechanism that applies to all products and all beneficiary countries; and a specific safeguard mechanism for specific products (textiles, clothing and certain agricultural products), which only applies to Standard GSP and GSP+ beneficiary countries.

Do you think that these safeguard mechanisms contribute to protecting EU producers from unfair competition?

- Yes
- O No
- 0

I don't know

K.5 The beneficiary countries of the EU's "Everything But Arms" (EBA) arrangement are least developed countries (LDCs) – the world's poorest and most vulnerable countries.

Do you think that the world's least developed countries should continue to be exempt from some of the existing procedures (such as product graduation or the specific safeguard mechanism) that are intended to protect the interests of EU producers?

- Yes
- No
- I don't know

L Your additional contributions

If you or your organization would like to submit a position paper or other written contribution, you can do so here.

L.1 Please upload your file

The maximum file size is 1 MB
Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

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