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The FTAO applauds the European Commission's proposal to improve the cross-border dimension of the UTP Directive but regrets lack of attention to complaints involving non-EU countries

The FTAO welcomes the European Commission's (EC) [proposal](#) to complement the Unfair Trading Practices (UTP) Directive, improving implementation of cases involving a cross-border dimension, i.e. when more than one Member State is involved in a complaint. However, the proposal overlooks the fact that the UTP Directive also allows non-EU suppliers to file complaints, should they experience a UTP from an EU buyer. The FTAO is disappointed that a measure designed to improve cross-border collaboration contains zero mention on how to facilitate complaints from suppliers outside the EU, particularly in the Global South.

The Commission's proposal lays down certain rules under which enforcement authorities from different EU member states can better cooperate and coordinate with each other and with the Commission while maintaining minimal interference in the legal orders of each Member State. Regrettably, the proposal does not address other relevant weaknesses identified in the Directive since its entry into force, such as the need to harmonise the complaints system, unify forms and provide adequate tools to eliminate the language barriers that currently exist, ensuring universal and effective access for suppliers when making a complaint inside and outside EU borders.

As the European Parliament and the Council of the EU will start negotiations on the EC's proposal, the FTAO urges the co-legislators to consider the importance of UTPs in the international dimension of our supply chains and ensure that third-country suppliers also be given more resources to be able to file complaints to EU Member state authorities. For instance, enforcement authorities could play a more active role in establishing contacts with those in non-EU countries in order to exchange information on UTPs in key sectors. This could be done via embassies, trade fairs, international events and conferences.

In 2023 alone, the EU imported EUR 158.6 billion in agri-food products, illustrating the interdependency between EU and non-EU supply chains. Allowing the thousands of non-EU suppliers around the world that feed the EU market to be able to file a complaint under this Directive would not only be morally correct, but it would also create a level-playing field and mean that EU buyers do not prioritise trade relationships where they can continue imposing UTPs more easily, such as in developing countries.

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