

EU Generalised System of Preferences: Commission initiates investigation on the effective implementation of certain human rights conventions in Sri Lanka

On 18th October 2008 the European Commission adopted a Decision providing for the initiation of an investigation with respect to the effective implementation of certain human rights conventions in Sri Lanka. This is one of the conditions under which Sri Lanka benefits from the more generous tariff preferences offered under the EU's special incentive arrangement for sustainable development and good governance (the GSP+).

The Commission has received information, including reports and statements of the United Nations, as well as from other relevant publicly available sources, including non-governmental organisations, that indicate that the national legislation of the Democratic Socialist Republic of Sri Lanka incorporating international human rights conventions, in particular the International Covenant on Civil and Political Rights, the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child, is not being effectively implemented.

The effective implementation of these Conventions was one of the criteria that the Democratic Socialist Republic of Sri Lanka was required to meet before it was included in the list of beneficiaries of the special incentive arrangement for good governance and sustainable development established under the EU's Scheme of Generalised Tariff Preferences (GSP). 14 countries, including Sri Lanka, presently receive the additional tariff preferences under this incentive arrangement, which is known as the GSP+.

The investigation shall determine whether the legislation of Sri Lanka on the recognition and protection of fundamental human rights is effectively implemented. This would further allow to determine whether a temporary withdrawal of the special incentive arrangement is justified in respect of the Democratic Socialist Republic of Sri Lanka.

The investigation is considered to be launched on the date of publication of the "Notice pursuant to Article 19(1) of Council Regulation (EC) No 980/2005 of the initiation of an investigation with respect to the effective implementation of certain human rights conventions in Sri Lanka".

Any interested party is invited to submit comments on the matter under investigation within four months of the launching of the investigation. Any such comments should be sent by 18th February 2009 to:

European Commission
Directorate General for Trade
Rue de la Loi 170. Office: 9/23
B-1049 Brussels

The European Commission will separately invite the Government of the Democratic Socialist Republic of Sri Lanka to cooperate in the investigation.

Commission Decision providing for the initiation of an investigation with respect to the effective implementation of certain human rights conventions in Sri Lanka:

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<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:277:0034:0035:EN:PDF>

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<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:265:0001:0001:EN:PDF>

More information on GSP and GSP+:

General information on GSP/GSP+:

http://ec.europa.eu/trade/issues/global/gsp/index_en.htm

Application procedure for GSP+ 2009-2011:

http://trade.ec.europa.eu/doclib/docs/2008/august/tradoc_140032.pdf