

Notice on the GSP+/Sri Lanka issue - 19 October 2009

Sri Lanka has benefited from the European Union's Generalised System of Preferences special incentive arrangement for sustainable development and good governance (“GSP+”) since 2005. GSP+ provides additional tariff preferences – in the form of additional reductions or even elimination of import duties beyond those already provided in its standard GSP - for vulnerable developing countries which ratify and effectively implement certain core international conventions on human and labour rights, environmental protection and good governance.

The granting and maintenance of GSP+ benefits is conditional on the beneficiary countries fulfilling conditions for eligibility set out in Council Regulation (EC) No 732/2008 (the GSP Regulation). The regulation makes provision for the temporary withdrawal of some or all GSP+ benefits if national legislation no longer incorporates the relevant international conventions or if legislation is not effectively implemented. Where the Commission receives information that may justify such temporary withdrawal, the GSP Regulation provides for the Commission to undertake an investigation to clarify the situation and propose appropriate action.

In light of available information, the Commission determined that there were sufficient grounds to open an investigation into the effective implementation of certain human rights conventions by Sri Lanka on 14 October 2008. Sri Lanka continues to benefit from GSP+ preferences pending the conclusion of the investigation and was therefore included in the list of GSP+ beneficiary countries for 2009-11 subject to the outcome. The Commission completed its investigation and approved a report on its findings on 19 October 2009.

The Commission received and carefully examined submissions made by interested parties in response to a public notice, available reports, statements and information of the United Nations as well as other publicly available reports and information from relevant sources, including non-governmental organisations. The Commission also requested an independent expert assessment of the effective implementation of the three conventions at issue. Finally, the Commission took into account the information provided by Sri Lanka in the framework of the parallel political dialogue.

The Commission's findings are that the national legislation 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.

In the light of these findings, the Commission will now consider whether a temporary withdrawal of some or all of Sri Lanka's GSP+ benefits is called for and make a suitable proposal to EU Member States in the Council. If such a proposal is made and subsequently adopted by the Council, it would enter into force six months after the date of adoption.

[Commission final report](#)

[Independent experts report](#)