



Executive Vice-President Valdis Dombrovskis
High Representative/Vice-President Josep Borrell Fontelles
Commissioner Nicolas Schmit

12 November 2021

EU GSP+ action concerning human rights violations in Sri Lanka

Dear Executive Vice-President Dombrovskis, High Representative Borrell, Commissioner Schmit,

We, the undersigned Members of the European Parliament, are writing following the GSP+ [monitoring mission](#) to Sri Lanka to ask that you **take concrete measures in light of the Sri Lankan government's manifest lack of compliance with its human rights obligations.**

We deeply regret that, since the last [assessment for 2018-19](#), even modest progress under the previous Sri Lankan administration has been reversed.

We are particularly concerned that the Sri Lankan government has repeatedly broken its commitment to repeal its [highly abusive Prevention of Terrorism Act \(PTA\)](#), [formulated in 2017](#) when the Commission decided to reinstate GSP+ preferences to Sri Lanka. The PTA, introduced as a “temporary” measure in 1979, [has been used](#) to persecute minorities, particularly Tamils and Muslims, and repress civil society, [enabling](#) torture and prolonged arbitrary detention.

Furthermore, in March the government rejected Human Rights Council [resolution 46/1](#), which aims at promoting accountability for past abuses. The [UN High Commissioner](#) for Human Rights and several [UN independent experts](#) have repeatedly raised [concerns](#) over growing repression, increased discrimination and abuses against minorities, persistent impunity and growing militarization in Sri Lanka.

On June 10, 2021, the European Parliament adopted a [resolution](#) urging the Commission “*to use the GSP+ as a leverage to push for advancement on Sri Lanka’s human rights obligations and demand the repeal or replacement of the PTA.*” Within days of its adoption, Shani Abeysekera, a policeman who had [investigated](#) emblematic rights violations, and who was named in the resolution, was [released](#) from jail. Furthermore, the government began issuing [vague promises](#) to reform the PTA, and [released](#) 16 PTA prisoners who were nearing or had passed the end of their sentences.

These examples show that GSP+ has created a historic opportunity to secure meaningful progress and reform in Sri Lanka. **It is imperative that the Commission does not take extremely modest reform proposals as a sign of good intentions, nor that it settles for vague promises** – which, given the [record](#) of this [government](#), are of little value. The Commission should make it clear that the EU is serious about the binding human rights commitments attached to the granting of GSP+ preferences, and that there are consequences for failure to comply – especially when the failure is of such magnitude

We therefore ask that, in the context of the ongoing assessment, the **Commission publicly formulates specific and timebound requirements for Sri Lanka to comply with its obligations under the GSP+ scheme**, and states clear consequences in case of persistent failure to comply. Those requirements should include, at a minimum:

- **An immediate moratorium on the use of PTA, along with a strict, clear and short timeline to repeal it;**
- The immediate **release of all PTA prisoners** against whom there is no admissible evidence;
- The withdrawal from parliament of the resolution to adopt the recommendations of the **“political victimization” commission**, which would halt emblematic human rights investigations;
- Ending all harassment and intimidation of victims’ organizations, human rights activists, journalists and other **civil society** members; ensuring that civil society organizations are legally able to receive funding from abroad; and ensuring that proposed legislation to regulate civil society groups does not undermine their rights to freedom of association and freedom of expression;
- Ensuring that **trade unions** are allowed to freely organize in all sectors of the economy.

This is the least the EU can do to safeguard the credibility of the GSP scheme, which grants lucrative privileges while requiring nothing more from beneficiary governments than that they respect the basic rights of their own people. We look forward to seeing clear, public and specific messages from the Commission, and to a continued cooperation towards our shared goal of improving human rights conditions in Sri Lanka and elsewhere.

Yours Sincerely,

Heidi Hautala, MEP, Rapporteur on the New GSP Regulation

Maria Arena, MEP, Chair of the DROI Subcommittee