

20 September 2023

Open Letter**Subject: FORUM-ASIA calls for securing reform of the EU Generalised Scheme of Preferences**

Your Excellencies,

The Asian Forum for Human Rights and Development (FORUM-ASIA)—a network of 85 member organisations across 23 Asian countries—encourages the European Commission, Parliament, and Council to secure the reform of the European Union’s (EU) Generalised Scheme of Preferences (GSP) before the end of the current EU legislature.

The EU’s GSP has been an important tool for fostering human rights, labour rights, and environmental protections across Asia. The GSP has been crucial in enhancing the role of civil society as well as in preventing democratic backsliding in the region.

A 4-year roll-over of the current GSP scheme—although necessary to preserve its continuation as inter-institutional negotiations (“trilogue”) proceed with difficulties—would be a missed opportunity in addressing some of the scheme’s shortcomings. Once the roll-over is secured, we encourage the Parliament and Council to resume negotiations on a reform to regulate the scheme until 2034 as well as to preserve the meaningful improvements already agreed in the process.

We urge negotiators to safeguard the requirement of a public “plan of action” with clear and timebound benchmarks for GSP+ beneficiaries to implement their human and labour rights obligations. The reform should foresee a more structured participation for civil society in the monitoring process. In addition, it should also enhance the transparency and predictability of the scheme.

We are concerned about the EU Council’s efforts to link the GSP beneficiary countries’ trade benefits to their cooperation on readmissions and returns of migrants. We regret the Council’s determination to use the GSP for migration purposes, which runs counter to the sustainable development goals of the scheme.

As negotiations proceed, we urge all parties to ensure that any possible compromise on readmissions respects the best applicable international standards on refugee, migration, and human rights law. Specifically, the regulation should foresee robust measures and safeguards—such as thorough human rights impact assessments—to ensure that no one is ever deported to a country where they could face persecution and abuses.

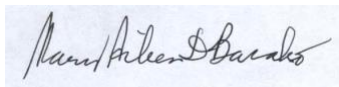
Furthermore, while hoping that the GSP conditionality would never be triggered on readmission grounds, we encourage negotiating parties to set a very high threshold for its hypothetical operationalisation. It should be clearly framed in the regulation as a measure of very last resort. Failure to do so could potentially put human rights defenders—including

journalists, political opponents, lawyers, artists, peaceful critics, and asylum seekers—at greater risks.

FORUM-ASIA—alongside our member organisations—is ready to support the ongoing GSP reform efforts. We hope that such reforms can lead to better support for Asian human rights defenders who are forced to seek protection in the EU region for fear of political persecution and reprisals in their home countries.

We look forward to cooperating with concerned EU institutions in the roll-out of a new and more efficient GSP scheme.

Yours sincerely,

A handwritten signature in black ink on a light blue background, reading "Mary Aileen Diez-Bacalso".

MARY AILEEN DIEZ-BACALSO

Executive Director

Asian Forum for Human Rights and Development (FORUM-ASIA)