

The preference of the European Union towards Pakistan

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Opinion

Allowing Pakistan to benefit from preferential EU trade rules despite strong concerns over human rights abuses is threatening the EU's credibility, argues Henri Malosse.



In 2012, following catastrophic floods, European Union bodies brought the Islamic Republic of Pakistan into the fold of the Generalised Scheme of Preferences Plus (GSP+).

This trade scheme allows the most fragile developing countries to benefit from a system of generalised preferences, in other words, exemption from some customs duties, with simplified formalities for their export sectors.

Colombia, Sri Lanka and Kyrgyzstan are on the list of GSP+ recipients. However, Pakistan, while classed as a least developed country, is also a regional power with nuclear capabilities.

The originality of the GSP+ system is its focus on empowering good governance and sustainable development, which, surprisingly, is administered by the European Commission's DG Trade.

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The granting of GSP+ is conditional on the ratification, compliance and "effective implementation" of 27 Core Conventions covering areas of human rights, labour rights, religious freedoms and gender equality.

Since its entry into force in 2012, concerns about Pakistan's compliance with the core conventions have been raised by EU member states and civil society.

The European Commission's Staff Working Document about Pakistan's compliance with the GSP evaluation report (sent to the Council and the Parliament on 19 January 2018), says the following regarding the Status of implementation of the conventions: "While constitutional and legal guarantees for the rights of Pakistani citizens are relatively comprehensive, and although the last two years have seen the adoption of a number of new laws, ... implementation remains an issue of concern."

This is evidence that the Commission is aware Pakistan is failing in the "effective implementation" aspect of the GSP+ regulations.

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So, while listing violations and abuses, and pointing out that "implementation remains a concern," we might well have expected some action to redress the discrepancy between Pakistan's laws, and their implementation.

The Commission has employed the conditionality levers of GSP+ in the past, most notably with the suspension of Sri Lanka's GSP+ benefit in 2010. However, not so with Pakistan.

Trade officials at the Commission give three controversial reasons for its retention. Firstly, any suspension of GSP+ would leave Europe without leverage in Pakistan. Secondly, the EU is worried about the ever increasing influence China has in Pakistan, without recognising that Pakistan has just granted an economic and military corridor to China, including the strategically significant port of Gwadar (granting China access to the Persian Gulf for 40 years). And thirdly, the EU believes there is a risk that Pakistani workers, who are currently notoriously abused, underpaid and unable to join trade unions, will join terrorist organisations if they lose their exploitive factory jobs.

In fact, despite GSP+ being granted, there seems to have been an upsurge of terrorist activities, especially the support of the Pakistani Secret Service (ISI) to the Afghan Taliban, something on which the United States has been vocal.

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Maintaining GSP+ in Pakistan, a state accused of supporting terrorism, with the world's highest number of prisoners on death row, with rampant killings of journalists, and with an utter lack of rule of law due to abusive military courts, is a serious mistake that threatens the EU's credibility with other third countries abiding by the rules of trade and respecting human rights.

As the Former President of the European Economic and Social Committee my duty was, and still is, to uphold EU values, democracy and freedom through our EU instruments. Trade policy is not an annex to, nor independent of the Treaty. Trade instruments must comply with the terms of the European Treaty. There is no EU without values.

About the author

Henri Malosse is a former President of the European Economic and Social Committee

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