

Briefing Paper on GSP+



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Introduction

The Pakistan Institute of Labour Education and Research is leading a comprehensive programme “Improved Multi-Stakeholders’ Coordination on GSP Plus Compliance.” The programme’s goal is to contribute to the creation of an enabling environment for improved compliance of human rights treaties and labour standards linked to the GSP Plus scheme.

The programme is designed around the outcomes of improved coordination and advocacy for institutional and legislative reforms linked to GSP+ treaties. Information products aiming to facilitate an understanding of the various dynamics of GSP+ in the context of Pakistan are therefore regarded as critical feature of the project.

The current brief is a part of the information products related to the programme. It seeks to present consolidated information on GSP+ and Pakistan from the prism of GSP+ treaties. It presents an overview of the journey of GSP+ in Pakistan, four years after the status was granted to the country. While highlighting the critical infrastructure related to GSP+ treaties implementation and monitoring, the paper tracks developments in legislation, mechanisms and systems placed by Pakistan to realize the human rights and labour rights agenda of the GSP+. Its key objective is to contribute as a reference point and address the need for a single source on the current position vis-à-vis implementation of GSP+ treaties.

What is GSP+ and Importance for Pakistan

GSP+ is special and non-reciprocal agreement by the European Union granting preferential trade access to the EU market for countries which are considered vulnerable because of a lack of economic diversification and insufficient integration within the international trading system. The incentive comes embedded with a broad-based rights framework. The concession is only granted to countries that ratify and undertake to comply with 27 international human rights, labour rights, sustainable development and good governance conventions including agreeing with their monitoring requirements.

This special scheme is regarded as a human rights mechanism established in the framework of the common commercial policy. EU regards this scheme as assistance aimed at alleviating poverty and creating jobs based on international values and principles on rights.

Countries that have been granted GSP+ status include: Armenia, Bolivia, Cape Verde, Costa Rica, Ecuador, Georgia, Mongolia, Paraguay, Pakistan and Peru.

GSP+ status was granted to Pakistan in 2014. The status has brought a range of benefits for Pakistan’s trade economy. Being the world’s largest trading block and a major export destination for Pakistan’s textile products – that represents more than 60% of Pakistan’s export, GSP+ has boosted

exports by 47%, stimulated export diversification, and contributed to an increase in investment and employment.

At the same time, there has been a consistent advancement in legislation and institutional frameworks concerning human rights and labour rights in the past four years. Given Pakistan's bulging workforce, deficits in rights and social infrastructure, a perpetual negative trade balance and an economy in need of expanding production base, GSP+'s contribution to Pakistan's economy through a rights-based economic package is significant.

Introduction

Pakistan and Status of Rights

Pakistan is a signatory to 44 treaties and conventions. These cover fundamental principles related to protection, prevention from violence, elimination of discrimination and critical freedoms of expression, information, assembly and association, among others identified in conventions such as ICCPR and ICESCR. Barring a few, Pakistan's record on legislation on conventions has improved in recent years.

However, an overview of the state of human rights in Pakistan suggests gap between state's public commitments for rights protection and political will reflected in practices, implementation mechanisms and systems to realize those rights. Security challenges, especially Pakistan's involvement in the war against terrorism and ambiguous geo-strategic aspirations lead to a compromised status of rights in every aspect of the citizens' lives.

The recent human rights reports on Pakistan outline enforced disappearances, violence against religious minorities, restrictions on freedom of expression, discrimination and violence against women, regressive customs harming children, deficits in delivery of essential services such as education, health, social protection and nutrition, and restricted spaces for civil society as key concerns in relation to the status of rights in Pakistan.

The state of labour rights, similarly, paints a negative picture. With a minimal state of unionization – one per cent - of formal sector workers, and exclusionary policies ousting informal labour in agriculture and fisheries out of the legislative ambit, all protections and safeguards for labour stand compromised.

There are 3.4mn children labour in Pakistan, according to conservative estimates. Barriers to female participation in labour force makes Pakistan as the worst performing country with respect to women empowerment. The number of labour inspectors reported to be at 337, according to ILO, leaves in its trail a disproportionate ratio of inspectors-labour at 1:25,000. Processes and legislations related to occupational safety and health for labour awaits adoption.

GSP+ and Pakistan

Pakistan and EU have been engaged in economic partnership since 1976. The EU delegation in Pakistan was established in 1998 and subsequent cooperation agreement and Sub-Group on Trade (established in 2006), and a dedicated dialogue process to resolve market access challenges have further strengthened the economic ties. EU also granted Pakistan trade concession following the 2010 floods devastation.

EU and Pakistan adopted a five-year Engagement Plan in 2012 along the goal of building a strategic relationship for peace and development, focusing on political and security dialogue, economic cooperation, counter terrorism and migration. GSP+ is an outcome of the Engagement Plan.

Pakistan received the GSP+ status in 2014 in the backdrop of intense lobbying for the rights-embedded trade incentive by various stakeholders including the business community, the government and the civil society at national and international levels. As per procedure, the status has been granted for ten years with a biennial review effective from January 1, 2014. Pakistan has received this status for the first time ever.

GSP+: A Brief into History and Technical Aspects

The Generalized System of Preferences (GSP) was established in 1971 by the European Commission (EC) following the recommendations of the second session of the United Nations Conference on Trade and Development (UNCTAD) in 1968. In the backdrop of the WTO clauses, the system allowed developed countries to formalize and impose trade related preferences onto developing countries.

The GSP is an autonomous instrument. It seeks to establish terms of trade that serve as a development policy. The trade preferences are therefore **not negotiated, but awarded** by EU to the “beneficiary country”, in line with WTO’s multilateral trade liberalization. The key objective of GSP is the promotion of economic growth and the creation of employment by lowering import cost, supporting business competitiveness and increasing export revenue.

GSP+, as a trade instrument, goes a step further to offer special incentives for vulnerable lower-income countries to promote sustainable development and good governance. GSP+ status eliminates tariffs on imports for beneficiary countries, for over 66% of products. However, in return, the concerned country is required to fulfill a set of commitments towards improving human rights, labour rights, and adopt principles of good governance and environmental ethics, in its geographical boundaries. This is done through ratification and ensuring implementation of 27 international conventions (see Annex).

GSP+: Technical Details

Application

The European Commission plays the central role in all procedure for granting and withdrawing GSP+ preferences. It reviews and decides upon the applications by interested countries desiring GSP+ status. The applicant countries are also reviewed by the European Parliament and the Council before a decision on acceptance or rejection is taken.

Monitoring of Compliance to GSP+ Treaties

Process

Once the GSP+ status is granted, a formal monitoring infrastructure is rolled out. As monitoring is based on a follow up on implementation of treaties attached with GSP+, a comprehensive system of review and consultation has been developed to ensure beneficiary country's compliance. Scorecard and dialogue are two critical pillars of this process.

Before the process of scorecard could be described, it is essential to remember that human rights, labour rights, environment and governance treaties and protocols attached to GSP+ come with their own set of monitoring mechanisms incorporating independent frameworks and timeline. For instance, specialised committee of independent experts are responsible for monitoring the implementation of all human rights conventions. State parties are obliged to report periodically to these committees. Similarly, Implementation of ICCPR is monitored by the Human Rights Council (HRC) and that of ICESCR is monitored by the Committee on Economic, Social and Cultural Rights (CESCR). The Convention against Torture requires the state to submit regular reports to the monitoring Committee against Torture (CAT). CEDAW follows a similar framework. The Committee on the Rights of the Child (CRC) monitors state parties' implementation of the convention.

For the eight fundamental ILO conventions on labour rights relevant to the GSP+, states are required to report periodically on the steps taken for implementation. The Committee of Experts on the Application of Conventions and Recommendations reviews states' reports and publishes an annual report on members' compliance with the fundamental ILO conventions.

Conventions on environment likewise have a range of reporting requirements and so do conventions on governance, employing a diverse range of monitoring and assessment frameworks.

Scorecard

Scorecards are compiled by the European Commission as an assessment of the GSP+ status country's compliance with its commitments. This "scorecard" lists the salient shortcomings in implementation of treaties, identified by the international conventions' monitoring bodies, briefly outlined above.

The Commission engages in dialogue with GSP+ status country, during which their attention is drawn to issues listed in the scorecard.

The lists of issues in the scorecard are updated annually to reflect GSP+ status country's progress in the effective implementation of the conventions.

Engagement for Monitoring

For the purpose of monitoring, the EU engages with the GSP+ status country on all areas where implementation is unsatisfactory. On their part, the concerned states are expected to show political commitment to continuously improving their compliance over time. The burden of proof for compliance with the GSP+ conventions rests with the state which is obliged to provide all information necessary to allow the EU to assess their GSP+ compliance.

The EU also actively engages with these international organizations and their local representatives, prior to and during GSP+ monitoring missions.

Role of Civil Society

For informed reporting, the EU also meets with civil society organisations (CSOs), including trade unions, human rights defenders, businesses and employers before and during monitoring missions, both in the EU and in the GSP+ status state.

Civil society has a role in two areas of the GSP+ process: regular monitoring of implementation, and the withdrawal procedure. Civil society, social partners and business associations are involved in open consultations organised by the European Commission at different stages of the monitoring process. They are also consulted when EU is in the process of GSP status withdrawal over a country's non-compliance to related conventions.

While a number of Preferential Trade Agreement arrangements by EU have formal framework for participation – in the role of consultation, participation and dialogue - the 2012 EU Communication explicitly supports the enabling environment, participation and capacity of Civil Society as an actor of governance.

At the EU level, Group of Experts on EU Trade Agreements contribute to civil society's representation in trade agreements. Civil society dialogue (CSD) meetings are also organised by EU's DG Trade where civil society and the Commission discuss about the EU's trade policy.

In GSP+ status countries, civil society organisations are perceived as a watchdog with a duty to monitor adherence to conventions, as well as to push governments towards better implementation. Civil society has a critical role to provide information of the situation on the ground and help identify meaningful steps in improving compliance with the conventions.

At the in-country level, civil society, being regular interlocutors of the local authorities have well-established functional relationships with the Government. Their role and power to shape

government policy also becomes important in influencing the implementation of rights treaties attached to GSP+.

GSP + and Impact on Pakistan's Economy

Being the most imperative trade partner, the EU accounts for approximately 12.8 % of Pakistan's aggregate trade and absorbs over 23% of the total exports. As a major contributor to the overall exports, the textile sector of Pakistan has benefited the most from EU's GSP+ scheme.

In the year 2016, Pakistan was EU's fourth largest trading partner with respect to goods valued. Pakistan's exports to EU are largely dominated by textiles and clothing, which account for over 60% of Pakistan's total exports. The country also imports transport and machinery equipment from EU.

As reported in the 2017-2018 Pakistan Economic Survey, the country's exports have increased by 47.25% in 2017 over 2013, on account of the duty-free access by the EU under the GSP+ scheme. The export of textile products witnessed an increase of 66.6% in value during the same time period. From the year 2006 to 2016, EU'S imports from Pakistan have also increased twice in numbers – from €3,319 to €6,273 million. The increase of imports also expanded since the grant of the GSP+ status.

The grant of GSP+ status to Pakistan helped stimulate efforts towards diversification of trade. Almost a quarter of the textiles and clothing articles, which are imported by EU are table linen, bed linen, as well as kitchen and toilet linen. Bedding exports have increased by 5.1% in value and 8.0% in quantity during the financial period of July-March 2017, as compared to the same period in 2016. The export of readymade garments has also shown improvement going up by 10.4% in 2017.

In terms of leather products, the country's footwear and plastics have also seen a considerable increase owing to the duty-free access under the GSP Plus scheme. According to the 2017-2018 Pakistan Economic Survey, the scheme has also contributed in uplifting the wholesale and retail trade, following its role as the largest sub-sector of services in Pakistan.

In terms of Pakistan's standing in global trade, the duty-free access has helped the country's products to compete with those being produced in Bangladesh, Turkey, Vietnam and other countries that also export their products to EU.

Employment

The Labour Force Survey indicates over 1% increase in employment in the manufacturing sector from 2014-15 to 2017-18. There has been rise in employment in the textile sector in the years corresponding to GSP+ in Pakistan. According to the Textile Commissioner's Organization report (2015-18) the employment in textile mills (including production, non-production and contract labour) rose from 2,33,798 in 2015 to 2,83,457 in 2018. This amounts to an increase of 17.5% in textile mills alone. It can be assumed that this has led to job creation in other sections of the supply

chain too, while also benefitting the informal sector which houses the majority workers, serving the textile sector.

Investment

The State Bank of Pakistan also notes substantial expansion in the textile sector as a part of the private sector in its “The State of Pakistan Economy” report. Textile sector registered substantial growth in loans, working capital and fixed investment. It also recorded capacity expansion and increased borrowing. A strong performance of the textile sector positively contributed to broad-based recovery of exports and hence trade balance.

GSP+ Conditionalities

In the GSP+ context, conditionality is used as an instrument to promote respect for human rights and good governance by way of trade incentive. For developing countries, the opportunity of a tariff-free access to the largest market in the world constitutes a powerful incentive and has considerable potential to advance the promotion of human rights and sustainable development around the world.

From a rights prism, this carries much importance. The incentive not only supports exports, related industries, employment generation and economic activity, while also improving balance of trade position of developing countries, it reinforces the human rights agenda and opens avenues for stronger state commitment and action on rights reforms and governance and environmental provisions. There is evidence that this system of political conditionality has led to positive economic boost as well as rights reforms in countries like Bangladesh and Sri Lanka that were recipients of similar preferential trade agreements. In Pakistan too, similar trends are visible, four years since GSP+ has been awarded to the country.

There are 27 treaties on human rights, labour rights, environment and governance that are a part of the GSP+ scheme. These treaties are all encompassing instruments covering diverse set of rights fundamental to citizenship, dignity, and human capital development, while also protecting environment and strengthening governance. For a country like Pakistan, this system has immense importance as the support to exports, investment and employment bolstered by GSP+ is also translating into strengthening rights mechanisms and institutions.

GSP+ Review of Pakistan

As a part of the GSP+ treaties monitoring system, a review report is presented every two years to the European Parliament and the Council. The report covers the status of ratification of the respective conventions, the compliance of the GSP+ status state with reporting obligations under those conventions, and the status of the implementation of the conventions in practice.

The review reports also feed into the parliamentary dialogues of the European Parliament and the European Council that maintain additional monitoring of GSP+ recipient countries.

Two biannual reviews covering implementation of GSP+ have taken place covering Pakistan. The first report, released in 2016, covered the period of 2014-15, while the later two years were covered by the second report presented in 2018.

The first report acknowledged Pakistan political, economic and security challenges, and stretched public financial resources, especially due to its engagement in fighting terrorism.

The report also acknowledged constructive steps taken by the Pakistani authorities such as the National Commission of Human Rights, GSP+ Treaty Implementation Cells, announcement of the National Action Plan, the significance of broader political measures, such as reserved seats for minorities in legislative bodies, progress in legislation on children's and women's rights and Pakistan's "commendable efforts" in submitting all due reports on the human rights conventions. It also noted the active role played by the social media – as a forum of expression – in stimulating debate on important issues.

The rights deficits highlighted by the report concern right to fair trial, torture, enforced disappearances, the lifting of moratorium on death penalty, establishment of military courts to try civilians and legislation such as the 2014 Protection of Pakistan Act that allows detention without trial for prolonged periods.

The report also noted stress on freedom of expression through censorship and violence against journalists, in addition to a threatening atmosphere against human rights defenders.

Concern was also noted over violence against minorities, misuse of blasphemy laws, social deficits reflected in poverty, and low access to education and healthcare

The report outlined the continued trend of brutal violence against women, widespread discrimination at home, the educational system and the workplace and gender gap in key social indicators, including education and health. It also pointed the need for action to address child labour and strengthen protection against exploitation and insecurity for children.

The report pointed to lack of capacity and awareness as a hindrance in full implementation of Pakistan's international commitments.

2016-17 Review Report

The 2016-17 review report on Pakistan undertook a more detailed and analytical stand on the rights reforms and institutional measures by the government to meet its international obligations. It expressed encouragement towards legislative reforms and national mechanisms set up to strengthen realization of human rights enshrined in GSP+ treaties.

The report gave a positive review to the development of a culture of an intensified debate about human rights, a more active role of the Parliament and the Ministry of Human Rights, the adoption of a National Action Plan on Human Rights and increasingly active and effective independent oversight bodies. It appreciated positive steps taken with regards to the establishment and increased independence of national oversight bodies, and introduction of new legislation.

The report also noted the significance of technical measures aimed at addressing gender-based violence reflected in the National Policy Guidelines on Gender Based Violence and the 'Standard Violence against Women' indicators which should contribute to the much-needed data on human rights in Pakistan.

The report took a positive note of the legislation on registration of Hindu marriages which for the first time legally recognizes marriages in the Hindu faith.

The report marked the Government's working with the UN Office on Drugs and Crime, and a Prisons Reform Programme as important in helping reform the legal and regulatory framework. It also stressed the importance of the review of the 27 crimes carrying death penalty as punishment, having regard to the principle of limitation of capital punishment to the "most serious crimes".

The report maintained its concern over enforced disappearances and extrajudicial killings, absence of action on widespread use of torture, death penalty and executions, the difficult situation of religious and ethnic minorities especially the threat of the blasphemy laws, and serious restrictions on freedom of expression, freedom of association and assembly, the situation of human rights defenders and civil society activists, and the overall 'shrinking civil society space'.

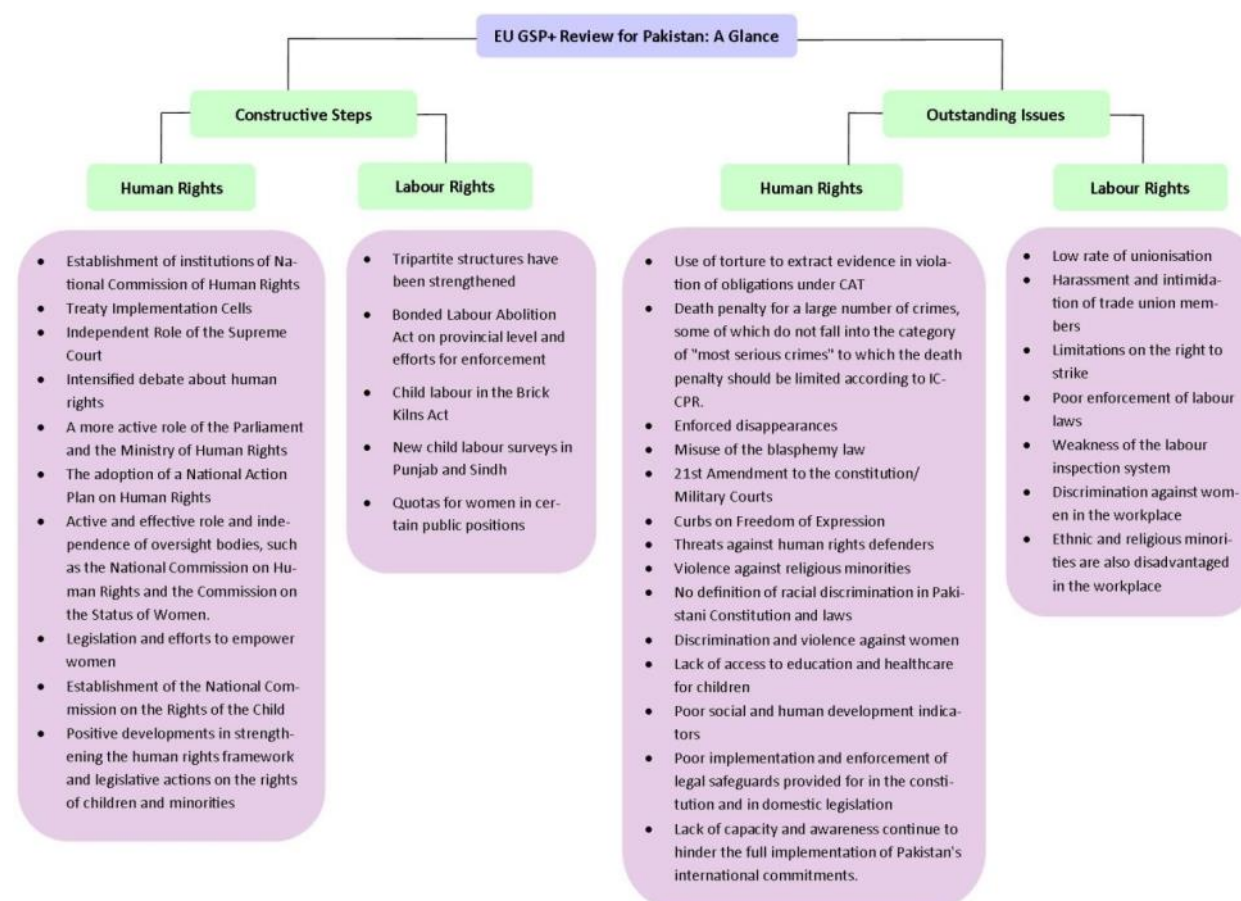
With regards to ILO Labour Rights Conventions (conventions 8-15), the review report noted improved steps taken by the provinces for legislation, procedures and guidelines to implement the ILO fundamental conventions; improved steps towards securing data with the ongoing labour force and child labour surveys; improvements in the area of tripartite dialogue; and progress with regards to addressing child labour, and bonded labour.

The report identified as "problematic areas" the inadequate efforts directed at gender discrimination in employment and discrimination against persons with disabilities and other vulnerable groups. It also noted persistent obstacles in the way of unionization, inadequate functioning of the labour inspection system, working conditions, occupational health and safety of workers, and importantly, implementation and enforcement of laws and regulations.

For UN Conventions on Environmental Protection and Climate Change (conventions 16-23), the report observed improvement in the efforts to implement the environmental conventions and a more active approach from the civil society. It also pointed to the need for strengthening institutions to achieve a sustained level of implementation of the conventions, especially those pertaining to environmental and climate change.

For UN Conventions on Good Governance (Conventions 24-27), the report noted an improvement in efforts to strengthen the anti-corruption framework. However, it pointed to the need for coordination and information sharing among law enforcement agencies and more efficient use of limited resources to effectively reduce drug trafficking.

As explained above, the development of the GSP+ review report is pursued by combining conclusions and recommendations of the monitoring bodies established under the relevant conventions, information supplied by the beneficiary countries and dialogue with third parties, primarily civil society and social stakeholders. While the review process primarily seeks to assess the implementation of related conventions, it contributes, in a variety of ways, to a conducive environment for stakeholders. By using trade policy as an instrument to pursue non-trade objectives of rights protection, the GSP+ review process compels stakeholders, particularly the state, to commit a more serious effort towards meeting its international obligations. As has been the case with Pakistan, apart from bringing positive benefits to the economy through trade increase, Pakistan's compliance to rights treaties has registered improvement with a number of legislative and institutional measures being taken to address gaps. This is seen as a positive outcome of embedding rights mechanisms into trade agreements that can serve as an effective tool for ensuring oversight and compliance.



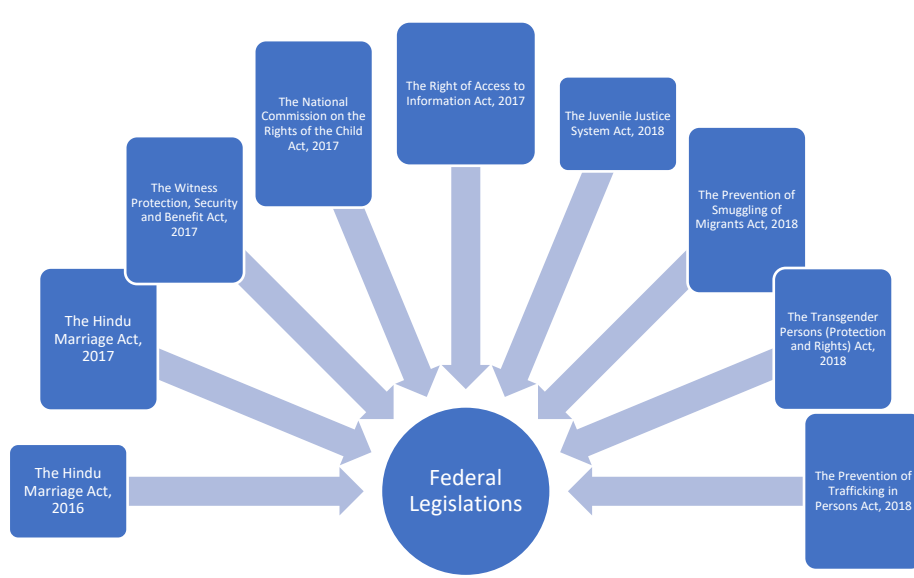
Implementation of GSP+ Conventions

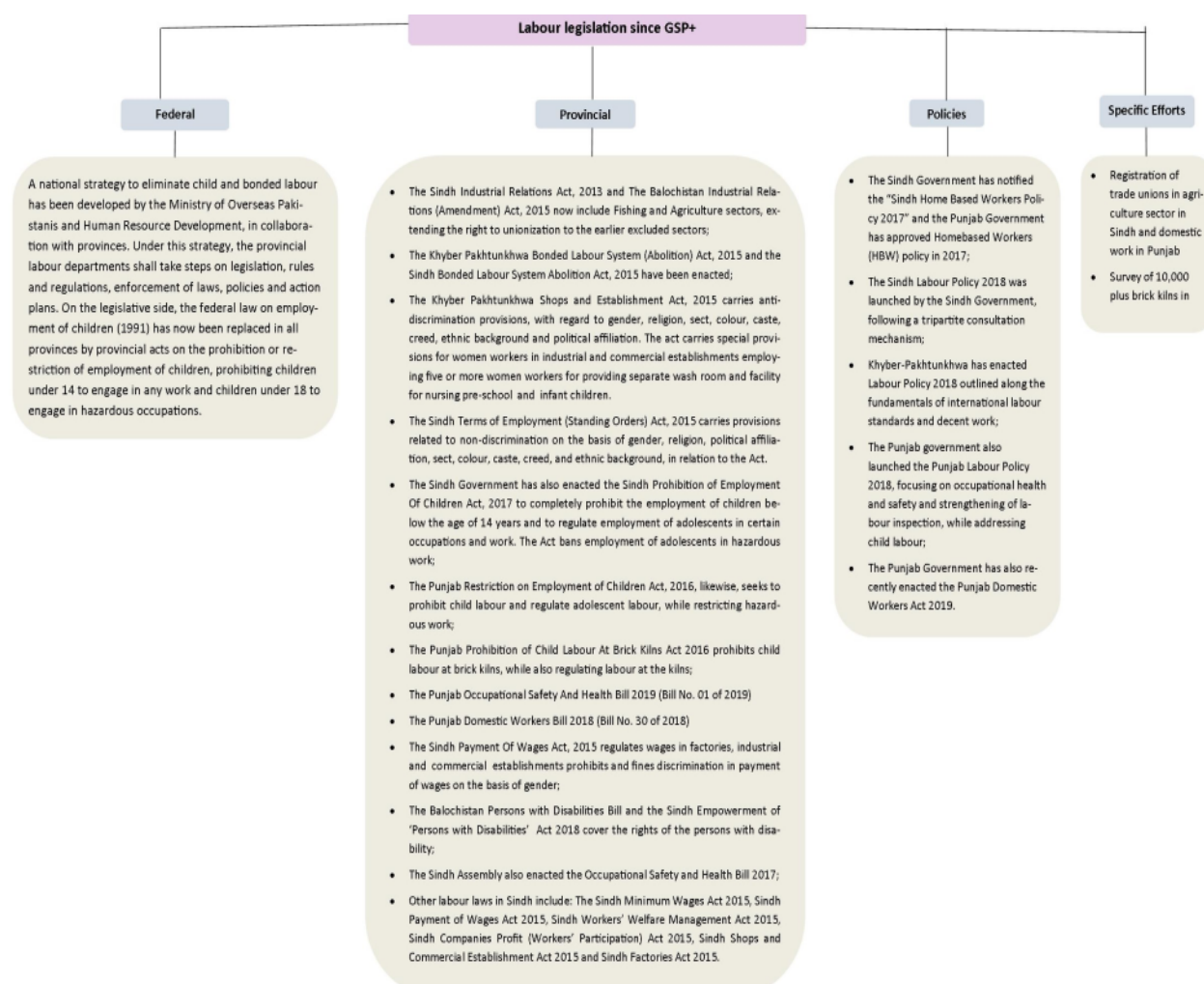
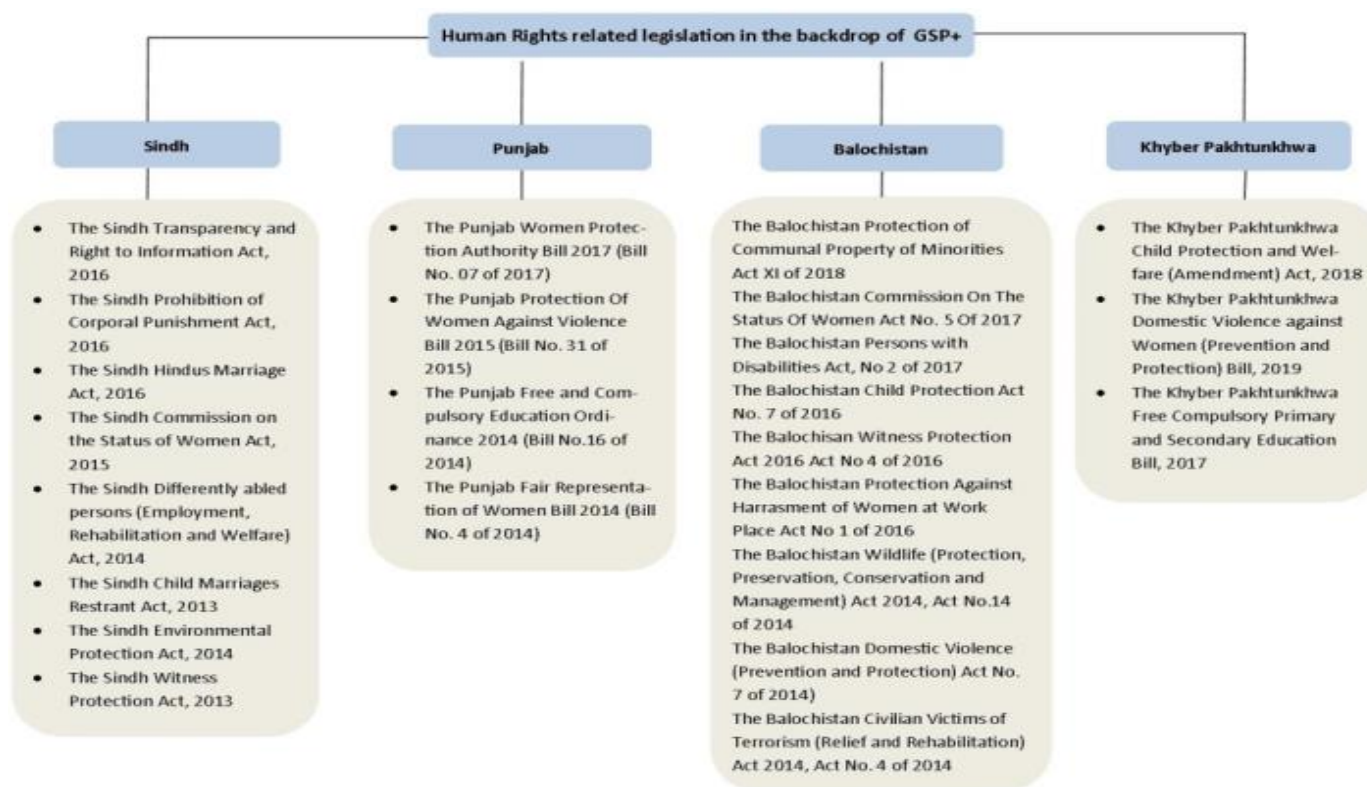
As a part of compliance to GSP+ treaties, Pakistan has undertaken a range of legislative measures in line with conventions attached to the status. These are listed in this section to highlight the current status of the legislative landscape in human rights and labour rights. Post devolution in 2010, a number of important ministries responsible for legislation and service delivery on critical rights, including labour, have been devolved to the provinces. Hence the provincial legislative arena – which has been covered in this section - is as critical as the federal.

As a second part of this section, institutional measures established in the past years, have been listed. Some of these measures have been established in particular reference to GSP+ while others are instrumental in realising the human rights agenda emphasised in GSP+ treaties

Human Rights legislations developed to comply with GSP+

Legislations





Institutions

The federal and the provincial governments have also instituted commissions in relation to human rights. The basis of these commissions rest in Pakistan's international obligations towards human rights. The state has also established related mechanisms that directly seek to track monitoring of GSP+ conventions. A brief overview of the commissions and mechanisms is presented below.

National Commission for Human Rights

The National Commission for Human Rights was established in 2015 under the NCHR Act, 2012, in line with Paris Principles in relation to human rights institutions. Its establishment is also a response to meet Pakistan's international commitments and obligations under GSP+ Status.

The primary functions and powers of the NCHR include: conducting investigations into applications of allegations of human rights abuse(s), filed through petitions or on suo-moto basis; review of existing and proposed legislation in relation to human rights principles; research and advise on human rights related policy matters in Pakistan; contribute to national human rights awareness-raising and advocacy initiatives; review and report on the Government's implementation and monitoring of the state of human rights; and technical recommendations and follow up on the implementation of (international) treaty obligations. The Commission is also authorized to develop a national plan of action for the promotion, protection and fulfillment of human rights in Pakistan.

The Commission is led by a Chairperson and supported by members from all four provinces as well as other NCSW and minorities commission.

In its four years, the Commission has made important progress in its role as an independent entity for rights protection in Pakistan. Key efforts are reflected in inquiry reports on cases on a range of issues of national importance. The Commission's recommendations on laws, on procedural changes such as in case of the misuse of the Blasphemy Law in Pakistan, safeguards minorities, transgender, peasants' land rights issue, (extrajudicial) actions of rangers, have helped shape the national human rights agenda leading to development of related legislation, commissions and mechanisms to resolve outstanding challenges.

Sindh Human Rights Commission

Established by the provincial government of Sindh in 2013, the Sindh Human Rights Commission functions under the Sindh Protection of Human Rights Act 2011. The Commission has a mandate to protect the fundamental human rights enshrined in the constitution.

The Commission's powers and functions include inquiry into cases of human rights violations; recommend related remedial measures to the government; formulate and update policies with a view to protect human rights; undertake research in the field of human rights and promote awareness for safeguards available for human rights, among others. The Commission is also

empowered to visit government facilities such as hospitals and jails to review living conditions of inmates and make recommendations for improvements. The Commission is led by a Chairperson and supported by members comprised of lawmakers, human rights activists, civil society members, and ex provincial secretaries from Sindh. Justice (Retd) Majida Razvi is the current chairperson of the Commission.

Since its establishment, the Commission has undertaken cases of violation of human rights with a formal mechanism for inquiries and follow-up, as well as visits to government facilities and drafted recommendations to address deficits. Review of laws related to crimes, especially those related to crimes against women have also been carried out and capacity building workshops have also been held as part of the Commission's mandate.

National Action Plan for Human Rights

The National Action Plan for Human Rights is a part of the 1993 Vienna Declaration and Programme of Action. Prepared by the Ministry of Human Rights on the directives of the Prime Minister's Office, the Action Plan consists of six broad areas of intervention, 16 outcomes and 60 actions. The themes include: (i) Policy, Legal Reforms, (ii) access to justice, (iii) implementation of key human rights priorities, (iv) international/UN Treaty implementation, (v) establish and strengthen national human rights institutions, (vi) implement and monitor mechanism for the Action Plan.

There is a time-frame for follow up on each of the thematic areas outlined.

The government has allocated Rs. 750.00 million for setting up of institutional mechanisms for realizing the plan.

Treaty Implementation Cells

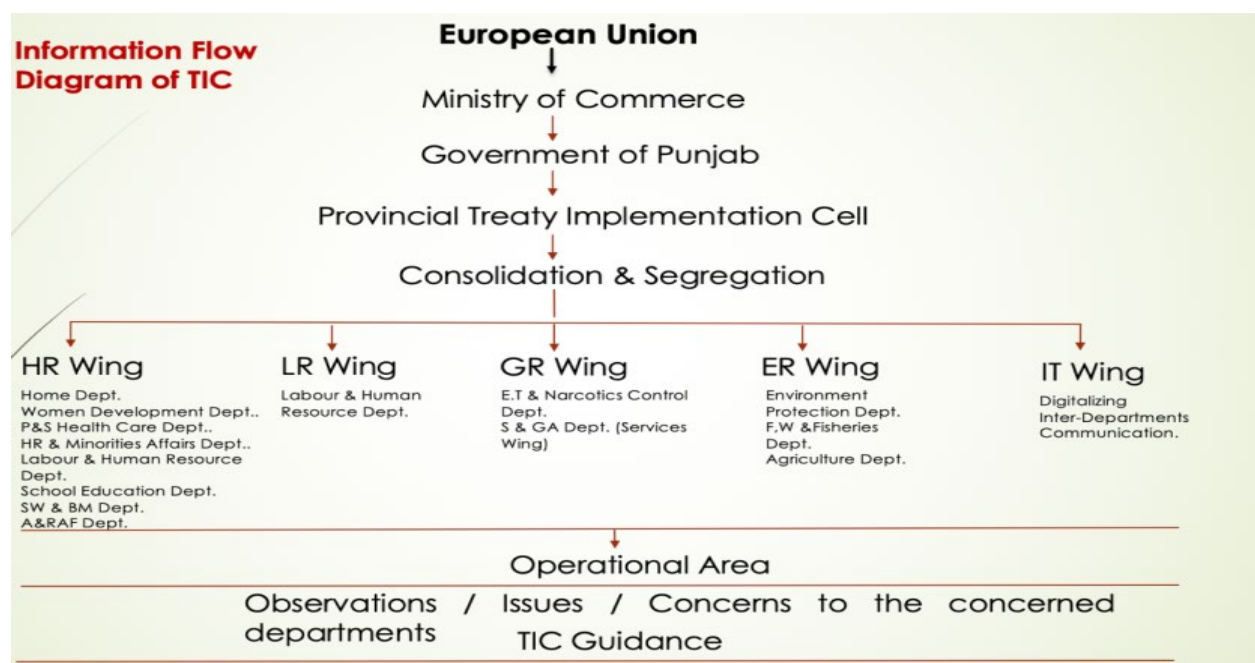
Treaty Implementation Cells (TICs) were established by the Prime Minister's office in 2016, both at the federal and provincial levels with the mandate to supervise, coordinate, monitor and implement treaties outlined in GSP+.

According to official information, the cell is entrusted with the responsibilities to oversee the formulation of an effective mechanism in consultation with all provincial governments and relevant federal ministries/divisions/agencies to enable the government for effective implementation of the ratified Conventions. Moreover, it has been tasked to develop identical protocols for implementation which can work as effective tools for Provincial and Federal Governments to regularly document the progress made. The Cells also guide the provincial governments for formulation of templates which can provide for reporting in prescribed formats and generation of reports on compliance, in line with international best practices.

The structure of the TIC is outlined on a bottom-up framework. Reporting on compliance with standards is provided by the relevant departments and provided to the concerned ministries. The

ministries then provide these reports to the Treaty Implementation Cells. The civil society sector has also been given representation in the structure.

Similar hierarchy of reporting is pursued at the provincial level too. The figure below presents a brief synopsis of the process.



GSP+ and Role of Stakeholders in Retaining the Status

It is clear that the benefits of the GSP+ status for Pakistan transcends trade. Apart from opening new doors for improved compliance to Pakistan's international obligations, GSP+ status also offers opportunity for a conducive environment for rights discourse, dialogue among stakeholders and institutional reforms that translate rights policies into action and experiences for common citizens.

The GSP+ system promotes multi-stakeholder participation in establishing reforms and systems pertaining to rights as well as in monitoring of compliance. While this framework supports development of legislation, policies, it also opens avenues and raises the stakes for civil society, human rights defenders, and businesses and others to play a role. Though this paper has not covered the role of businesses in GSP+, this community's part is significant in ensuring implementation of labour rights by way of self-compliance as well as dialogue with the government and other stakeholders to promote a pro-compliance environment.

The continuation of GSP+ thus rests on the reinforcement of this spirit of multi-stakeholderism, whereby all actors play their respective roles, while also consult each other to enable the country to benefit from a win-win situation.

The following table briefly summarises the role various stakeholders can play in contributing to GSP+ treaties' compliance:

Processes	Stakeholders	Actions
Legislation Development	Government, parliament, civil society (as support)	Legislation in line with GSP+ treaties, through consultative process.
Monitoring of legislation enforcement	Government, parliamentary bodies, civil society	Maintaining a follow up, raise violation at public forums, consult courts for violations
Establishment of rights institutions	Government and parliament	Establish independent human rights institutions to realise rights treaties
Strengthening of rights institutions	Government, parliament and civil society	Resource allocation, capacity building, maintaining their independence, monitoring their performance.
Labour rights	Government, parliament, businesses, civil society	Ensuring compliance
Discourse on rights	Government, parliament, civil society, academia, human rights defenders, and media	Participation

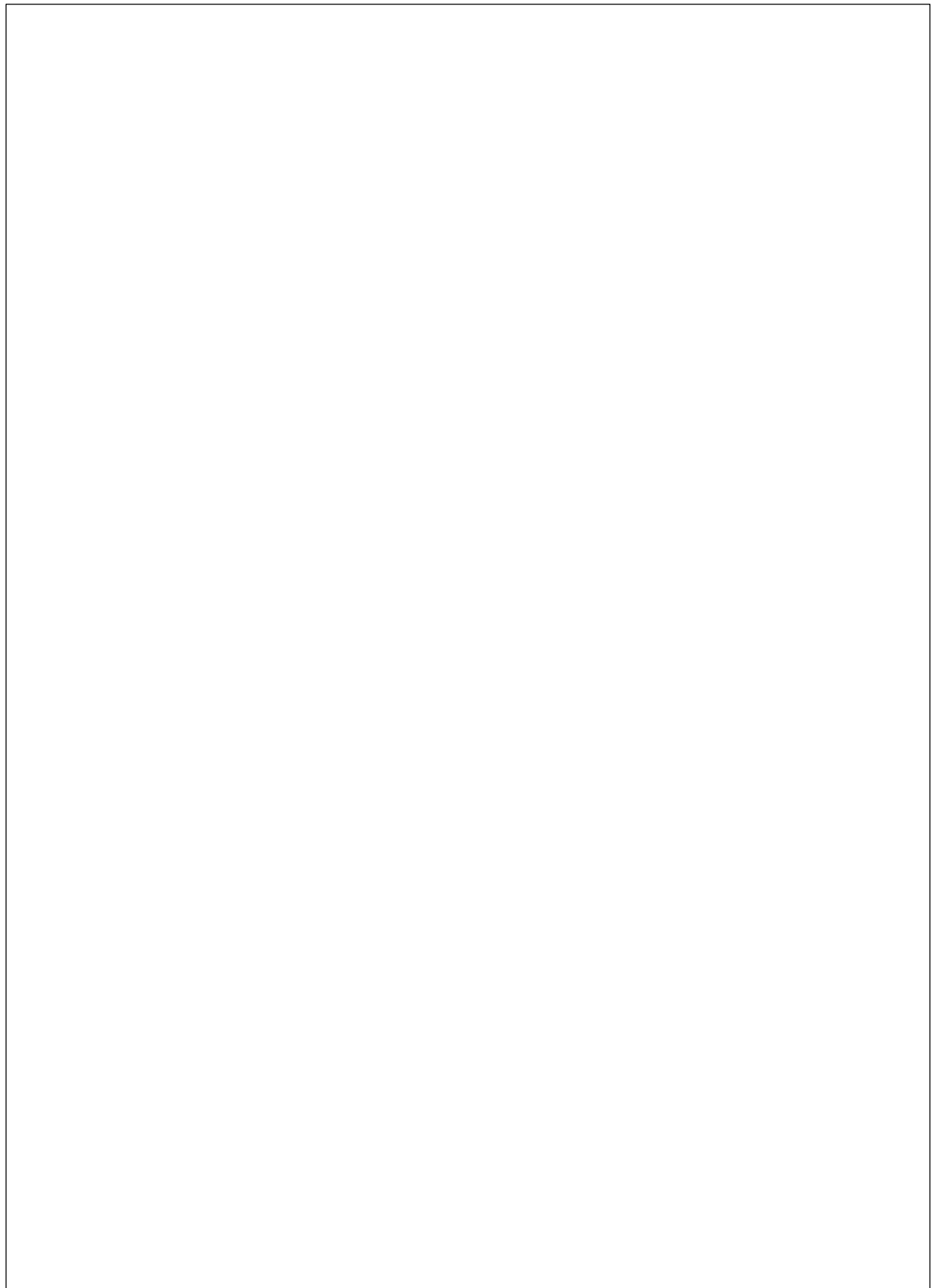
Conclusion

GSP+ has brought promising prospects for Pakistan in terms of economic gains. At the same time, it also responds to increasing focus on the interlinking of state and business with the responsibility, ownership and practice of human rights. In a country where human rights are considered as a matter of state responsibility alone, this is likely to change dynamics and introduce a more multi-stakeholders involvement.

The EU reports on GSP+ persistently highlight the need for a more robust and responsive framework on conventions attached to GSP+. However, it is encouraging for Pakistan to stay engaged in a dialogue with international systems tracking the progress of rights in the country.

In terms of legislation, Pakistan has made important progress in covering gaps, especially with regards to the provisions of child labour, health and safety and un-protected categories of workforce. Similarly, for human rights, legislation on transgender, religious minorities, child marriage and violence against women suggest a positive posture of the state on human rights. The NCHR and SHRC, with appropriate capacities offer the potential for institutional backup for implementation of the recent series of rights-based legislation. However, the gaps in terms of the absence of similar

commissions in other provinces, bureaucratic hurdles, and a weak political will that bars firm action on political commitments may continue to endanger the positive results of GSP+.



GSP+ Conventions

PART A

Core human and labour rights UN/ILO Conventions

1. Convention on the Prevention and Punishment of the Crime of Genocide (1948)
2. International Convention on the Elimination of All Forms of Racial Discrimination (1965)
3. International Covenant on Civil and Political Rights (1966)
4. International Covenant on Economic Social and Cultural Rights (1966)
5. Convention on the Elimination of All Forms of Discrimination Against Women (1979)
6. Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
7. Convention on the Rights of the Child (1989)
8. Convention concerning Forced or Compulsory Labour, No 29 (1930)
9. Convention concerning Freedom of Association and Protection of the Right to Organise, No 87 (1948)
10. Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, No 98 (1949)
11. Convention concerning Equal Remuneration of Men and Women Workers for Work of Equal Value, No 100 (1951)
12. Convention concerning the Abolition of Forced Labour, No 105 (1957)
13. Convention concerning Discrimination in Respect of Employment and Occupation, No 111 (1958)
14. Convention concerning Minimum Age for Admission to Employment, No 138 (1973)
15. Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, No 182 (1999)

PART B

Conventions related to the environment and to governance principles

16. Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973)
17. Montreal Protocol on Substances that Deplete the Ozone Layer (1987)
18. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989)
19. Convention on Biological Diversity (1992)
20. The United Nations Framework Convention on Climate Change (1992)
21. Cartagena Protocol on Biosafety (2000)
22. Stockholm Convention on persistent Organic Pollutants (2001)EN L 303/60 Official Journal of the European Union 31.10.2012
23. Kyoto Protocol to the United Nations Framework Convention on Climate Change (1998)
24. United Nations Single Convention on Narcotic Drugs (1961)
25. United Nations Convention on Psychotropic Substances (1971)
26. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)
27. United Nations Convention against Corruption (2004)