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Committee on Foreign Affairs

2012/2097(INI)

7.11.2012

AMENDMENTS

1 - 46

Draft opinion
Andrzej Grzyb
(PE496.506v01-00)

Corporate Social Responsibility: promoting society's interests and a route to sustainable and inclusive recovery
(2012/2097(INI))

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PE500.384v01-00

AM_Com_NonLegOpinion

Amendment 1
Helmut Scholz

Draft opinion
Paragraph -1 a (new)

Draft opinion

Amendment

- 1a. Welcomes the fact that the new definition established in the Commission's CSR Communication of 25.10.2011 emphasises that respect for applicable legislation and collective agreements is a prerequisite for responsible action and specifies the framework required for corporate responsibility by demanding that 'social, environmental, ethical, human rights and consumer concerns' are integrated into the operations and core strategy of businesses in close collaboration with their stakeholders; reiterates that corporate social responsibility must also extend to enterprises' behaviour towards and in third countries;

Or. de

Amendment 2
Helmut Scholz

Draft opinion
Paragraph 1

Draft opinion

Amendment

1. Welcomes the efforts of the European Union and the Member States to align their policies with the UN Guiding Principles on Business and Human Rights¹, ***while stressing*** that these efforts do not yet amount to a thorough engagement ***in this process***;

1. Welcomes the efforts of the European Union and the Member States to align their policies with the ***OECD Guidelines for Multinational Enterprises updated in 2011 and the UN Guiding Principles on Business and Human Rights¹***, ***and stresses*** that these efforts, ***particularly in the non national-state-regulated sector of global***

business activity, do not yet amount to a thorough engagement *to respecting and reviewing relevant environmental, social and human rights standards*;

Or. de

Amendment 3
Jean-Jacob Bicep
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. Considers corporate social responsibility to be a relevant concept for enabling control to be exercised over enterprises' actions and their impacts; points out that such control is essential for achieving the objectives of the Treaty on European Union and the objectives referred to in the Communication of building a more cohesive society and bringing about a transition towards a sustainable economy; believes, however, that being of a voluntary nature it is insufficient to ensure that enterprises comply fully with social and environmental standards in line with the objectives laid down; calls on the Commission to establish a binding framework for corporate social responsibility for all enterprises in the areas in which they operate;

Or. fr

Amendment 4
Jean-Jacob Bicep
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 1 b (new)

Draft opinion

Amendment

1b. Stresses the importance of assessing an enterprise's compliance with social responsibility in terms of the entire supply chain; considers it vital to put in place effective and transparent indicators with which to assess precisely the impact of an enterprise's activities from a systemic point of view;

Or. fr

Amendment 5
Helmut Scholz

Draft opinion
Paragraph 2

Draft opinion

Amendment

2. Insists that each of the 27 Member States must accelerate the revision of their national action plans on Corporate Social Responsibility (CSR), and the development of national plans implementing UN Guiding Principles, ***which should be finalised at the latest by December 2013; calls on the EU to facilitate learning from the experience of those EU States which are currently undergoing this process;*** encourages the Member States ***to draw inspiration from guidance developed by the European Group of National Human Rights Institutions (NHRIs);***

2. Insists that each of the 27 Member States must accelerate the revision of their national action plans on Corporate Social Responsibility (CSR) and the development of national plans implementing ***relevant OECD Guidelines and*** UN Guiding Principles; encourages the Member States ***in so doing to attach great importance to the requirements of comparability, transparency and verifiability via standardisation, the introduction of a public reporting requirement and the involvement of democratically elected bodies representing workers;***

Or. de

Amendment 6
Joanna Senyszyn

Draft opinion
Paragraph 2

Draft opinion

2. Insists that each of the 27 Member States must accelerate the revision of their national action plans on Corporate Social Responsibility (CSR), and the development of national plans implementing UN Guiding Principles, which should be finalised at the latest by December 2013; calls on the EU to facilitate learning from the experience of those EU States which are currently undergoing this process; encourages the Member States to draw inspiration from guidance developed by the European Group of National Human Rights Institutions (NHRIs);

Amendment

2. Insists that each of the 27 Member States must accelerate the revision of their national action plans on Corporate Social Responsibility (CSR), and the development of national plans implementing UN Guiding Principles, which should be finalised at the latest by December 2013; ***Member States should ensure these plans are drafted with participation of all relevant stakeholders including NGOs, civil society***; calls on the EU to facilitate learning from the experience of those EU States which are currently undergoing this process; encourages the Member States to draw inspiration from guidance developed by the European Group of National Human Rights Institutions (NHRIs);

Or. en

Amendment 7
Tokia Saïfi

Draft opinion
Paragraph 2

Draft opinion

2. Insists that each of the 27 Member States must accelerate the revision of their national action plans on Corporate Social Responsibility (CSR), and the development of national plans implementing UN Guiding Principles, which should be finalised at the latest by December 2013; calls on the EU to facilitate learning from the experience of those EU States which are currently undergoing this process; encourages the Member States to draw inspiration from guidance developed by the European Group of National Human Rights

Amendment

2. Insists that each of the 27 Member States must accelerate the revision of their national action plans on Corporate Social Responsibility (CSR), and the development of national plans implementing UN Guiding Principles, which should be finalised at the latest by December 2013; calls on the EU to facilitate learning from the experience of those EU States which are currently undergoing this process; encourages the Member States to draw inspiration from ***the guidelines contained in the ISO 26000 standard, the OECD***

Institutions (NHRIs);

Guidelines, the most recent version of the Global Reporting Initiative guidelines and guidance developed by the European Group of National Human Rights Institutions (NHRIs);

Or. fr

Amendment 8
Helmut Scholz

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Emphasises that the CSR of enterprises both within the EU and in third countries should also be extended to areas such as the organisation of work, the quality of employment, equal opportunities, social inclusion, combating discrimination and continuing training;

Or. de

Amendment 9
Helmut Scholz

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Calls for greater policy coherence at EU level by bringing public procurement as well as export credit, good governance, competition, development, trade, investment and other policies and agreements into conformity with ***international*** human rights standards and principles, and in this context ***encourages*** drawing on relevant NHRI advice, such as the ‘European Group submission to the EC

3. Calls for greater policy coherence at EU level by bringing public procurement as well as export credit, good governance, competition, development, trade, investment and other policies and agreements into conformity with ***the internationally binding social, environmental and human rights standards laid down in the relevant OECD and UN guidelines*** and principles, and in this

on human rights and procurement’; calls for meaningful and adequate impact assessments of legislative proposals for potential incoherence with the Guiding Principles, and insists on the coordination with the UN Working Group on Business and Human Rights, to avoid disparate and inconsistent interpretation of the UN Guiding Principles;

context ***calls for cooperation with bodies representing workers and consumers*** ***while*** drawing on relevant NHRI advice, such as the ‘European Group submission to the EC on human rights and procurement’; calls for meaningful and adequate impact assessments of legislative proposals for potential incoherence with the Guiding Principles, and insists on the coordination with the UN Working Group on Business and Human Rights, to avoid disparate and inconsistent interpretation of the UN Guiding Principles;

Or. de

Amendment 10
Joanna Senyszyn

Draft opinion
Paragraph 3 – subparagraph 1 (new)

Draft opinion

Amendment

(1) While recognizing the importance of UN human rights framework for CSR, reminds that the Charter of Fundamental Rights of the European Union guarantees, in its Article 16, the fundamental right to conduct a business which should be duly taken into account and serve as reference supporting CSR policies in the EU;

Or. en

Amendment 11
Joanna Senyszyn

Draft opinion
Paragraph 3 – subparagraph 2 (new)

Draft opinion

Amendment

(2) Underlines the importance of balancing freedom to conduct business with other rights guaranteed by this Charter as well as internationally recognized principles and guidelines for CSR; in this context, the Committee welcomes the efforts of the European Union Agency for Fundamental Rights (FRA) to collect evidence and expertise concerning existence and interpretation of the freedom to conduct business;

Or. en

Amendment 12
Helmut Scholz

Draft opinion
Paragraph 4

Draft opinion

4. Commits itself to continue to raise consistently its expectation that EU institutions and officials, including the EU Special Representative on Human Rights, ***undertake efforts to advance the*** human rights ***and business agenda*** in all EU external relations and actions;

Amendment

4. Commits itself to continue to raise consistently its expectation that EU institutions and officials, including the EU Special Representative on Human Rights, ***be obliged to enforce social, environmental and*** human rights ***standards*** in all EU external relations and actions;

Or. de

Amendment 13
Metin Kazak, Marietje Schaake

Draft opinion
Paragraph 4

Draft opinion

4. Commits itself to continue to raise consistently its expectation that EU institutions and officials, including the EU Special Representative on Human Rights, undertake efforts to advance the human rights and business agenda in all EU external relations and actions;

Amendment

4. Commits itself to continue to raise consistently its expectation that EU institutions and officials, including the EU Special Representative on Human Rights ***as well as the country and region specific EU Special Representatives*** undertake efforts to advance the human rights and business agenda in all EU external relations and actions;

Or. en

Amendment 14
Joanna Senyszyn

Draft opinion
Paragraph 4 – subparagraph 1 (new)

Draft opinion

Amendment

(1) Calls the European Commission and Member States to conduct fundamental rights impact assessments prior to conclusion of and when evaluating multilateral and bilateral trade and investment agreements and the attribution of development aid and to guarantee that these rights are respected. In this context, special emphasis should be put on the basic principle of equality between men and women.

Or. en

Amendment 15
Helmut Scholz

Draft opinion
Paragraph 5

Draft opinion

5. Recognises that Paris Principles-aligned NHRIs are uniquely positioned to provide support for the implementation of the *UN* Guiding Principles, ***including facilitating, if not ensuring***, access to remedy; calls on the EU and the Member States to recognise NHRIs as ***a key partner in advancing the human rights and business agenda, in developing linkages between business, state and civil society, and in promoting standards and guidelines developed within the EU framework***; calls, in this context, on the Member States to strengthen and, where necessary, broaden the mandates of the NHRIs to make them more effective, or, where no Paris Principles-aligned NHRI is in place, to undertake steps to establish it, and for the EU to develop appropriate strategic support; commits itself to establish a regular annual exchange of views with NHRIs in the framework of LIBE and/or DROI, building on the experiences of the DROI exchange of views on the ‘EU and Eastern Partnership Ombudsmen 2011 Summit’, and to complement such exchanges with targeted workshops on human rights and business;

Amendment

5. Recognises that Paris Principles-aligned NHRIs are uniquely positioned to provide support for the implementation of the ***United Nations*** Guiding Principles ***or also to facilitate, or even ensure***, access to remedy; calls on the EU and the Member States to recognise NHRIs ***alongside enterprises and bodies representing workers and consumers*** as key partners ***in the development of tools to promote internationally recognised social, environmental and*** human rights standards; calls, in this context, on the Member States to strengthen and, where necessary, broaden the mandates of the NHRIs to make them more effective, or, where no Paris Principles-aligned NHRI is in place, to undertake steps to establish it, and for the EU to develop appropriate strategic support; commits itself to establish a regular annual exchange of views with NHRIs in the framework of LIBE and/or DROI, building on the experiences of the DROI exchange of views on the ‘EU and Eastern Partnership Ombudsmen 2011 Summit’, and to complement such exchanges with targeted workshops on human rights and business;

Or. de

Amendment 16

Jean-Jacob Bicep

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 5

Draft opinion

5. Recognises that Paris Principles-aligned NHRIs are ***uniquely positioned*** to provide support for the implementation of the UN

Amendment

5. Recognises that Paris Principles-aligned NHRIs are ***well placed*** to provide support for the implementation of the UN Guiding

Guiding Principles, including facilitating, if not ensuring, access to remedy; calls on the EU and the Member States to recognise NHRIs as a key partner in advancing the human rights and business agenda, in developing linkages between business, state and civil society, and in promoting standards and guidelines developed within the EU framework; calls, in this context, on the Member States to strengthen and, where necessary, broaden the mandates of the NHRIs to make them more effective, or, where no Paris Principles-aligned NHRI is in place, to undertake steps to establish it, and for the EU to develop appropriate strategic support; commits itself to establish a regular annual exchange of views with NHRIs in the framework of LIBE and/or DROI, building on the experiences of the DROI exchange of views on the ‘EU and Eastern Partnership Ombudsmen 2011 Summit’, and to complement such exchanges with targeted workshops on human rights and business;

Principles, including facilitating, if not ensuring, access to remedy; calls on the EU and the Member States to recognise NHRIs as a key partner in advancing the human rights and business agenda, in developing linkages between business, state and civil society, and in promoting standards and guidelines developed within the EU framework; calls, in this context, on the Member States to strengthen and, where necessary, broaden the mandates of the NHRIs to make them more effective, or, where no Paris Principles-aligned NHRI is in place, to undertake steps to establish it, and for the EU to develop appropriate strategic support; commits itself to establish a regular annual exchange of views with NHRIs in the framework of LIBE and/or DROI, building on the experiences of the DROI exchange of views on the ‘EU and Eastern Partnership Ombudsmen 2011 Summit’, and to complement such exchanges with targeted workshops on human rights and business;

Or. fr

Amendment 17 Helmut Scholz

Draft opinion Paragraph 6

Draft opinion

6. Undertakes to place the **‘human rights and business’** issue on the agendas of forthcoming EU meetings with third countries, especially with privileged relations partners, and ***requests, if necessary, that translations of the UN Guiding Principles be carried out using the EP’s or other EU institutions’ capacity;***

Amendment

6. Undertakes to place the **corporate social responsibility** issue on the agendas of forthcoming EU meetings with third countries, especially with privileged relations partners, and ***calls for corporate social and environmental responsibility to be incorporated into the EU’s contractual relations with third countries;***

Amendment 18
Tokia Saïfi

Draft opinion
Paragraph 6

Draft opinion

6. Undertakes to place the ‘human rights and business’ issue on the agendas of forthcoming EU meetings with third countries, especially with privileged relations partners, *and requests, if necessary, that translations of the UN Guiding Principles be carried out using the EP’s or other EU institutions’ capacity;*

Amendment

6. Welcomes the adoption by the ILO on 14 June 2012 of Recommendation No 202 concerning national floors for social protection; undertakes to place the ‘human rights and business’ issue on the agendas of forthcoming EU meetings with third countries, especially with privileged relations partners;

Amendment 19
Helmut Scholz

Draft opinion
Paragraph 7 – point 1

Draft opinion

(1) ensure that *‘human rights and business’* features among the priorities of individual financial instruments under the new Multiannual Financial Framework (MFF) perspective for the period 2014-2020; and

Amendment

(1) ensure that *the topic of corporate social responsibility* features among the priorities of individual financial instruments under the new Multiannual Financial Framework (MFF) perspective for the period 2014-2020; and

Amendment 20
Helmut Scholz

Draft opinion
Paragraph 7 – point 2

Draft opinion

(2) develop specific support under the EIDHR for training and overall capacity-building in the area of ***human rights and business of*** civil society organisations, NHRIs, human rights defenders, trade unions, and other human rights organisations;

Amendment

(2) develop specific support under the EIDHR for training and overall capacity-building in the area of ***corporate social responsibility for*** civil society organisations, NHRIs, human rights defenders, trade unions, and other human rights organisations;

Or. de

Amendment 21
Jean-Jacob Bicep
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 8

Draft opinion

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes society's interests, the respect for human rights, and a route to sustainable and inclusive recovery and development, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) of companies ensures transparency by providing a clear, unambiguous, common and predetermined framework with specific reference to human rights, that is fully aligned with the UN Guiding Principles and based on objective indicators, such as the gender pay gap, ***and indicators and reporting guidelines referring to disability***;

Amendment

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes society's interests, the respect for human rights, and a route to sustainable and inclusive recovery and development, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) of companies ensures transparency by providing a clear, unambiguous, common and predetermined framework, with specific reference to human rights, that is fully aligned with the UN Guiding Principles and based on objective indicators, such as the gender pay gap, ***the possibility for workers to join trade unions and conduct collective bargaining, the level of remuneration, the length of the working day and working week and an effective guarantee of safety at work***;

Amendment 22
Rachida Dati

Draft opinion
Paragraph 8

Draft opinion

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes society's **interests, the** respect for human rights, and a route to sustainable and inclusive recovery and development, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) of companies ensures transparency by providing a clear, unambiguous, common and predetermined framework with specific reference to human rights, that is fully aligned with the UN Guiding Principles and based on objective indicators, such as the gender pay gap, and indicators and reporting guidelines referring to disability;

Amendment

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes **the interests of** society **in all its diversity**, respect for human rights, and a route to sustainable and inclusive recovery and development, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) of companies ensures transparency by providing a clear, unambiguous, common and predetermined framework, with specific reference to human rights, that is fully aligned with the UN Guiding Principles and based on objective indicators, such as the gender pay gap **or women in senior posts**, and indicators and reporting guidelines referring to disability;

Amendment 23
Hannu Takkula

Draft opinion
Paragraph 8

Draft opinion

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes society's interests, the respect for human rights, and a route to

Amendment

8. Insists **that** in order to ensure that the implementation of the new EU CSR strategy promotes society's interests, the respect for human rights, and a route to

sustainable and inclusive **recovery and development**, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) **of** companies ensures transparency by providing a clear, unambiguous, common and predetermined framework. with specific reference to human rights, **that** is fully aligned with the UN Guiding Principles **and** based on objective indicators, such as the gender pay gap, **and indicators** and reporting guidelines referring to disability;

sustainable and inclusive **growth**, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) **by** companies ensures transparency by providing a clear, unambiguous, common and predetermined framework with specific reference to human rights, **and which** is fully aligned with the UN Guiding Principles, based on objective indicators, such as the gender pay gap, **youth wages** and reporting guidelines referring to disability;

Or. en

Amendment 24 **Helmut Scholz**

Draft opinion **Paragraph 8**

Draft opinion

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes society's interests, the respect for human rights, and a route to sustainable and inclusive recovery and development, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) of companies ensures transparency by providing a clear, unambiguous, common and predetermined framework. with specific reference to human rights, that is fully aligned with the UN **Guiding Principles** and based on objective indicators, such as the gender pay gap, and indicators and reporting guidelines referring to disability;

Amendment

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes society's interests, the respect for human rights, and a route to sustainable and inclusive recovery and development, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) of companies ensures transparency by providing a clear, unambiguous, common and predetermined framework. with specific reference to human rights, that is fully aligned with the **OECD and UN guidelines and principles** and based on objective indicators, such as the gender pay gap, and indicators and reporting guidelines referring to disability;

Or. de

Amendment 25
Metin Kazak, Marietje Schaake

Draft opinion
Paragraph 8

Draft opinion

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes society's interests, the respect for human rights, and a route to sustainable and inclusive **recovery** and development, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) of companies ensures transparency by providing a clear, unambiguous, common and predetermined framework, with specific reference to human rights, that is fully aligned with the UN Guiding Principles and based on objective indicators, such as the gender pay gap, and indicators and reporting guidelines referring to disability;

Amendment

8. Insists, in order to ensure that the implementation of the new EU CSR strategy promotes society's interests, the respect for human rights, and a route to sustainable and inclusive **progress** and development, that the legislative proposal on the mandatory disclosure of non-financial information (including environmental, social, and governance information) of companies ensures transparency by providing a clear, unambiguous, common and predetermined framework, with specific reference to human rights, that is fully aligned with the UN Guiding Principles and based on objective indicators, such as the gender pay gap, and indicators and reporting guidelines referring to disability;

Or. en

Amendment 26
Helmut Scholz

Draft opinion
Paragraph 10

Draft opinion

10. Reiterates its calls on the EU and the Member States to improve the enforcement of existing laws integrating **'business and human rights'** concerns, and to develop further solutions aiming at a 'level playing field' for domestic and third countries' business enterprises;

Amendment

10. Reiterates its calls on the EU and the Member States to improve the enforcement of existing laws integrating **corporate social responsibility** concerns, and to develop further solutions aiming at a 'level playing field' for domestic and third countries' business enterprises;

Amendment 27
Tokia Saïfi

Draft opinion
Paragraph 10

Draft opinion

10. Reiterates its calls on the EU and the Member States to improve the enforcement of existing laws integrating ‘business and human rights’ concerns, and to develop further solutions aiming at a ‘level playing field’ for domestic and third countries’ business enterprises;

Amendment

10. Reiterates its calls on the EU and the Member States to improve the enforcement of existing laws integrating ‘business and human rights’ concerns, and to develop further solutions aiming at a ‘level playing field’ for domestic and third countries’ business enterprises ***in order to combat social dumping***;

Or. fr

Amendment 28
Jean-Jacob Bicep
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 11

Draft opinion

11. Calls for human rights due diligence standards at EU level, addressing, among other issues, potentially high human rights impact and risk areas such as global and local supply chains, conflict minerals, ***and outsourcing***;

Amendment

11. Calls for human rights due diligence standards, ***including the obligation to carry out social and environmental impact assessments and effective redress mechanisms***, at EU level, addressing, among other issues, potentially high human rights impact and risk areas such as global and local supply chains, conflict minerals, ***outsourcing, areas where labour law and workers’ protection are insufficient and areas where products which are dangerous for the environment and health are produced***;

Amendment 29
Ana Gomes

Draft opinion
Paragraph 11

Draft opinion

11. Calls for human rights due diligence standards at EU level, addressing, among other issues, potentially high human rights impact and risk areas such as global and local supply chains, conflict minerals, and outsourcing;

Amendment

11. Calls for human rights ***and supply chain*** due diligence standards at EU level ***that meet requirements laid out by the OECD Due Diligence Guidance for Responsible Supply Chains from Conflict-Affected and High-Risk Areas***, addressing, among other issues, potentially high human rights impact and risk areas such as global and local supply chains, conflict minerals, and outsourcing;

Or. en

Amendment 30
Tokia Saïfi

Draft opinion
Paragraph 11

Draft opinion

11. Calls for human rights due diligence standards at EU level, addressing, among other issues, potentially high human rights impact and risk areas such as global and local supply chains, conflict minerals, and outsourcing;

Amendment

11. Calls for human rights due diligence standards at EU level, addressing, among other issues, potentially high human rights impact and risk areas such as global and local supply chains, conflict minerals, and outsourcing; ***welcomes the programmes already set up by the EU, in particular the FLEGT programme in forestry, and supports private initiatives such as the Extractive Industries Transparency Initiative (EITI)***;

Or. fr

Amendment 31
Metin Kazak, Marietje Schaake

Draft opinion
Paragraph 11

Draft opinion

11. Calls for human rights due diligence standards at EU level, addressing, among other issues, potentially high human rights impact and risk areas such as global and local supply chains, conflict minerals, and outsourcing;

Amendment

11. Calls for human rights due diligence standards at EU level, addressing, among other issues, potentially high human rights impact and risk areas such as global and local supply chains, conflict minerals, ***landgrabbing*** and outsourcing;

Or. en

Amendment 32
Helmut Scholz

Draft opinion
Paragraph 11 a (new)

Draft opinion

Amendment

11a. Calls on the EU and the Member States, with respect to CSR infringements, to adopt specific binding rules on granting fundamental rights to effective remedy and access to an impartial and independent tribunal, referring in particular to the fact that these are secured in Article 47 of the Charter of Fundamental Rights of the European Union and in Article 8 of the Universal Declaration of Human Rights; reaffirms the need to encourage transnational judicial cooperation with the aim of establishing judicial procedures and non-judicial redress mechanisms;

Or. de

Amendment 33
Helmut Scholz

Draft opinion
Paragraph 12

Draft opinion

12. Requests that where the EU or Member States are partners of business (e.g. in public procurement, state-owned enterprises, joint ventures, ‘blending’, export credit guarantees, large scale projects in third countries), consistency with the UN ***Guiding Principles*** should be a priority, reflected in specific contractual clauses, and with consequences for companies blatantly violating human rights; recommends that ***the envisaged ‘EU Platform for External Cooperation and Development’ establish such modalities;***

Amendment

12. Requests that where the EU or Member States are partners of business (e.g. in public procurement, state-owned enterprises, joint ventures, ‘blending’, export credit guarantees, large scale projects in third countries), consistency with the ***OECD and UN guidelines and principles*** should be a priority, reflected in specific contractual clauses, and with consequences for companies blatantly violating ***social, environmental and human rights standards***; recommends that ***the Commission come up with corresponding proposals for measures to combat such violations or abuse in the form of ‘greenwashing’;***

Or. de

Amendment 34
Cristian Dan Preda

Draft opinion
Paragraph 12

Draft opinion

12. Requests that where the EU or Member States are partners of business (e.g. in public procurement, state-owned enterprises, joint ventures, ‘blending’, export credit guarantees, large scale projects in third countries), consistency with the UN Guiding Principles should be a priority, reflected in specific contractual clauses, and with consequences for companies blatantly violating human rights; recommends that the envisaged ‘EU Platform for External Cooperation and

Amendment

12. Requests that where the EU or Member States are partners of business (e.g. in public procurement, state-owned enterprises, joint ventures, ‘blending’, export credit guarantees, large scale projects in third countries), consistency with the UN Guiding Principles should be a priority, reflected in specific contractual clauses, and with consequences for companies blatantly violating human rights; recommends that the envisaged ‘EU Platform for External Cooperation and Development’ establish such modalities

Development' establish such modalities;

meant to improve the quality and efficiency of EU external cooperation blending mechanisms and financial instruments and the cooperation and coordination between the EU, Financial Institutions and other stakeholders in this field;

Or. en

Amendment 35

Tokia Saïfi

Draft opinion

Paragraph 12

Draft opinion

12. Requests that where the EU or Member States are partners of business (e.g. in public procurement, state-owned enterprises, joint ventures, 'blending', export credit guarantees, large scale projects in third countries), consistency with the UN Guiding Principles should be a priority, reflected in specific contractual clauses, and with consequences for companies blatantly violating human rights; *recommends that the envisaged 'EU Platform for External Cooperation and Development' establish such modalities;*

Amendment

12. Requests that where the EU or Member States are partners of business (e.g. in public procurement, state-owned enterprises, joint ventures, 'blending', export credit guarantees, large scale projects in third countries), consistency with the UN Guiding Principles should be a priority, reflected in specific contractual clauses, and with consequences for companies blatantly violating human rights;

Or. fr

Amendment 36

Jean-Jacob Bicep

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 12

Draft opinion

12. Requests that where the EU or Member States are partners of business (e.g. in public procurement, state-owned enterprises, joint ventures, ‘blending’, export credit guarantees, large scale projects in third countries), consistency with the UN Guiding Principles should be a priority, reflected in specific contractual clauses, and with consequences for companies blatantly violating human rights; recommends that the envisaged ‘EU Platform for External Cooperation and Development’ establish such modalities;

Amendment

12. Requests that where the EU or Member States are partners of business (e.g. in public procurement, state-owned enterprises, joint ventures, ‘blending’, export credit guarantees, large scale projects in third countries), consistency with the UN Guiding Principles should be a priority, reflected in specific contractual clauses, and with **legal** consequences for companies blatantly violating human rights; recommends that the envisaged ‘EU Platform for External Cooperation and Development’ establish such modalities;

Or. fr

Amendment 37

Jean-Jacob Bicep

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 12 a (new)

Draft opinion

Amendment

12a. Stresses the importance of the UN ‘Protect, Respect and Remedy’ framework and considers that its three pillars – the state’s responsibility to protect against human rights violations, the responsibility of businesses to respect human rights and the need for more effective access to remedies – should be supported by appropriate measures to enable their implementation;

Or. fr

Amendment 38

Cristian Dan Preda

Draft opinion
Paragraph 13

Draft opinion

13. Acknowledges that grievances against EU companies operating abroad are often more usefully solved in situ; commends the OECD National Contact Points as state-based non-legal mechanisms that can mediate over a broad range of business and human rights disputes; calls, however, for a greater effort by companies in developing grievance mechanisms aligned with the effectiveness criteria stated in the Guiding Principles;

Amendment

13. Acknowledges that grievances against EU companies operating abroad are often more usefully solved in situ; commends the OECD National Contact Points as state-based non-legal mechanisms that can mediate over a broad range of business and human rights disputes; calls, however, for a greater effort by companies in developing grievance mechanisms aligned with the effectiveness criteria stated in the Guiding Principles ***and to seek further authoritative guidance provided by internationally recognised principles and guidelines, in particular the recently updated OECD Guidelines for Multinational Enterprises, the ten principles of the United Nations Global Compact, the ISO 26000 Guidance Standard on Social Responsibility, the ILO Tri-partite Declaration of Principles Concerning Multinational Enterprises and Social Policy;***

Or. en

Amendment 39
Tokia Saïfi

Draft opinion
Paragraph 13

Draft opinion

13. Acknowledges that grievances against EU companies operating abroad are often more usefully solved in situ; commends the OECD National Contact Points as state-based non-legal mechanisms that can mediate over a broad range of business and human rights disputes; calls, however, for a greater effort by companies in developing

Amendment

13. ***Emphasises that, given the size of their share of international trade, European companies, their subsidiaries and subcontractors play a key role in the promotion and dissemination of social and labour standards worldwide; considers that European companies which relocate their production to***

grievance mechanisms aligned with the effectiveness criteria stated in the Guiding Principles;

countries with less stringent social obligations should be held liable, including before European courts, for any damage and negative externalities affecting local populations; acknowledges that grievances against EU companies operating abroad are often more usefully solved in situ; commends the OECD National Contact Points as state-based non-legal mechanisms that can mediate over a broad range of business and human rights disputes; calls, however, for a greater effort by companies in developing grievance mechanisms aligned with the effectiveness criteria stated in the Guiding Principles;

Or. fr

Amendment 40

Jean-Jacob Bicep

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 13

Draft opinion

13. **Acknowledges** that grievances against EU companies operating abroad are often more usefully solved in situ; commends the OECD National Contact Points as state-based non-legal mechanisms that can mediate over a broad range of business and human rights disputes; calls, however, for a greater effort by companies in developing grievance mechanisms aligned with the effectiveness criteria stated in the Guiding Principles;

Amendment

13. **Believes** that *even if* grievances against EU companies operating abroad are often more usefully solved in situ, *the companies should be liable in their country of origin for violations which they or entities which they control commit in third countries*; commends the OECD National Contact Points as state-based non-legal mechanisms that can mediate over a broad range of business and human rights disputes; calls, however, for a greater effort by companies in developing grievance mechanisms aligned with the effectiveness criteria stated in the Guiding Principles;

Or. fr

Amendment 41
Marietje Schaake, Metin Kazak

Draft opinion
Paragraph 14 a (new)

Draft opinion

Amendment

14a. Calls for the development of more effective transparency and accountability standards for EU technology companies in relation to export of technologies that can be used to violate human rights or to act against the EU's security interest;

Or. en

Amendment 42
Jean-Jacob Bicep
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 14 a (new)

Draft opinion

Amendment

14a. Welcomes the Commission's wish to address the issue of corporate social responsibility in the context of enlargements; is disappointed, nevertheless, that this issue is not specifically addressed in the accession negotiations with candidate countries and that this concept is not mentioned in the Communication from the Commission on the Enlargement Strategy and Main Challenges 2012-2013¹

¹COM(2012) 600 final

Or. fr

Amendment 43
Marietje Schaake, Metin Kazak

Draft opinion
Paragraph 14 b (new)

Draft opinion

Amendment

14b. Calls for human rights impact assessments as early as in the research and development phase of new technologies;

Or. en

Amendment 44
Jean-Jacob Bicep
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 14 b (new)

Draft opinion

Amendment

14b. Welcomes the Commission's intention to work towards establishing global advocacy, international guidelines and complementary legislation to ensure that EU businesses have a positive impact in foreign societies; notes that businesses' positive impact in foreign societies can be assessed in terms of, among other things, local people's access to resources and their food sovereignty and the endogenous development of societies;

Or. fr

Amendment 45
Marietje Schaake, Metin Kazak

Draft opinion
Paragraph 14 c (new)

Draft opinion

Amendment

14c. Calls for the implementation of 'know your end user' to ensure the prevention of human rights violations up or down stream in a production or market flow;

Or. en

Amendment 46
Marietje Schaake, Metin Kazak

Draft opinion
Paragraph 14 d (new)

Draft opinion

Amendment

14d. Calls on the monitoring of restrictive measures (sanctions, boycotts, embargos) on the EU level;

Or. en