



EUROPEAN PARLIAMENT

2009 - 2014

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*Committee on Foreign Affairs*

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**2009/2219(INI)**

19.5.2010

# **AMENDMENTS**

## **1 - 39**

**Draft opinion**  
**David Martin**  
(PE439.928v01-00)

on human rights and social and environmental standards in international trade  
agreements  
(2009/2219(INI))

AM\_Com\_NonLegOpinion

**Amendment 1**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph -1 (new)**

*Draft opinion*

*Amendment*

***-1. Stresses that, pursuant to Chapter 1 of Title V TEU, the Union's action on the international scene must be guided by the principles of democracy, the rule of law and the universality, inalienability and indivisibility of human rights and fundamental freedoms; emphasises that they constitute a common essential basis for its relations with third countries;***

Or. fr

**Amendment 2**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph -1a (new)**

*Draft opinion*

*Amendment*

***-1a. Points out that the European Court of Human Rights recognises the extraterritorial applicability of the ECHR, and the Union must, upon accession to the ECHR, endeavour to fully comply with this obligation in its external relations and activities, including in trade agreements;***

Or. fr

**Amendment 3**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph -1b (new)**

*Draft opinion*

*Amendment*

***-1b. Points out that economic and social rights have formed an integral part of human rights since the adoption of the Universal Declaration of Human Rights (UDHR) in 1948; considers that it is up to the EU to help implement them in the least-developed and developing countries with which it signs international agreements, including trade agreements;***

Or. fr

**Amendment 4  
Marie-Christine Vergiat**

**Draft opinion  
Paragraph -1c (new)**

*Draft opinion*

*Amendment*

***-1c. Calls on the Commission to only conclude trade agreements on condition that these agreements contain clauses relating to democracy and human rights and on social, health and environmental standards; reiterates once more its call to the Commission and the Council to effectively implement clauses already incorporated into international agreements in force and, consequently, to put in place a suitable mechanism in the spirit of Articles 8, 9 and 96 of the Cotonou Agreement;***

Or. fr

**Amendment 5  
Marie-Christine Vergiat**

**Draft opinion  
Paragraph 1**

*Draft opinion*

1. Calls for all **EU** trade negotiations and **arrangements** with third countries to include a **human rights** impact assessment **measuring the consequences of specific trade advantages granted by or to the EU**;

*Amendment*

1. Calls for all **European Union** trade negotiations and **agreements** with third countries to include a **prior** impact assessment **of the agreements envisaged, taking account of the human rights situation for all parties to these agreements; considers that this analysis must be based on meetings with defenders of human rights working in the countries in question**;

Or. fr

**Amendment 6**  
**Metin Kazak**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Calls for all EU trade negotiations and arrangements with third countries to include a human rights impact assessment measuring the consequences of specific trade advantages granted by or to the EU;

*Amendment*

1. Calls for all EU trade negotiations and arrangements with third countries to include a human rights impact assessment measuring the consequences of specific trade advantages granted by or to the EU; **notes that international trade agreements should include binding commitments with respect to human rights standards and must allow for revision in case of violation of these standards**;

Or. en

**Amendment 7**  
**Marietje Schaake**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Calls for all EU trade negotiations and arrangements with third countries to include a human rights impact assessment ***measuring the consequences of*** specific trade advantages granted by or to the EU;

*Amendment*

1. Calls for all EU trade negotiations and arrangements with third countries to include a human rights impact assessment, ***assessing the human rights situation, and making human rights standards binding before*** specific trade advantages ***are*** granted by or to the EU;

Or. en

**Amendment 8**  
**Raimon Obiols, David Martin**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Calls for ***all*** EU trade negotiations and arrangements with third countries to include a human rights impact assessment measuring the consequences of specific trade advantages granted by or to the EU;

*Amendment*

1. Calls for EU trade negotiations and arrangements with third countries to include a human rights ***clause and an*** impact assessment measuring the consequences of specific trade advantages granted by or to the EU;

Or. en

**Amendment 9**  
**Miroslav Mikolášik**

**Draft opinion**  
**Paragraph 1a (new)**

*Draft opinion*

*Amendment*

***1a. Calls on the Commission to assure full application of the Charter of Fundamental rights in all aspects of the Union's external action and the consistency between Union's external action and its other policies wherein the***

*human rights shall be mainstreamed;*

Or. en

**Amendment 10**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 1a (new)**

*Draft opinion*

*Amendment*

*1a. Calls on the Commission as the representative of the Union and the Member States to impress upon the WTO and its members the need to take account of human rights and social, health and environmental standards in the context of trade negotiations, and in particular the negotiation of the Doha agreement, and to see to it in practice that they are applied and promoted in the context of the implementation of trade agreements; calls on the Commission to urge the WTO and its members to admit, as a first step, the delegations of the International Labour Organization (ILO) and the secretariat of the International Labour Office and the secretariats of multilateral and international environmental agreements as observers;*

Or. fr

**Amendment 11**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 1b (new)**

*Draft opinion*

*Amendment*

*1b. Urges the Union to assert the right of access to natural resources in*

*negotiations of trade agreements and the rights of native and indigenous peoples with regard to access to essential natural resources; calls on the Commission to incorporate the problem of the purchase and ownership of land in third countries, in particular in the least-developed and developing countries, into international trade negotiations and agreements;*

Or.

**Amendment 12**  
**Helmut Scholz**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Calls on the Commission to develop a more consistent benchmarking system for all countries that are assisted under the GSP+ system in order to monitor in a clear and transparent fashion achievements as well as setbacks in the development of human rights;

*Amendment*

2. Calls on the Commission to develop a more consistent benchmarking system for all countries that are assisted under the GSP+ system in order to monitor in a clear and transparent fashion achievements as well as setbacks in the development of *social and political* human rights; *also takes the view, however, that one-sided insistence on the application in practice of universal human rights ignores the fact that their implementation also requires funding, which, under the existing conditions, cannot be provided by emerging economy and developing countries alone;*

Or. de

**Amendment 13**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Calls on the Commission to develop a more consistent benchmarking system for all countries that are assisted under the **GSP+** system in order to monitor in a clear and transparent fashion achievements as well as setbacks in the development of human rights;

*Amendment*

2. Calls on the Commission to **implement Parliament's resolution of 10 March 2010 on the GSP+ system; asks it, consequently, to** develop a more consistent **and fairer** benchmarking system for all countries that are assisted under the **mentioned** system in order to monitor in a clear and transparent fashion, **taking account of the different parties' views,** achievements as well as setbacks in the development of human rights, **including social, economic, cultural and environmental rights;**

Or. fr

**Amendment 14**

**Metin Kazak**

**Draft opinion**

**Paragraph 2a (new)**

*Draft opinion*

**2a. Notes that 'Trips-Plus' provisions in international trade agreements should respect human rights, especially those relating to the right to health;**

*Amendment*

Or. en

**Amendment 15**

**Marie-Christine Vergiat**

**Draft opinion**

**Paragraph 3**

*Draft opinion*

3. Considers, **in this context,** that **in future legislation Parliament** should **insist on an**

*Amendment*

3. Considers that, **with a view to fulfilling its international commitments in the area**

*arrangement whereby* trade advantages, including those stemming from free trade agreements, *can be suspended temporarily by the Commission alone* if sufficient evidence of human rights or labour rights violations is found, either on its own initiative or at the request of a Member State or the European Parliament;

*of human rights, the EU should include, taking account of the nature of the agreements and the situation specific to each partner country, systematic clauses relating to democracy, the rule of law and human rights as well as social and environmental standards, and that these clauses should allow the Commission to suspend at least temporarily* trade advantages, including those stemming from free trade agreements, if sufficient evidence of human rights or labour rights violations is found, either on its own initiative or at the request of a Member State or the European Parliament;

Or. fr

**Amendment 16**  
**Miroslav Mikolášik**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Considers, in this context, that in future legislation Parliament should insist on an arrangement whereby trade advantages, including those stemming from free trade agreements, can be suspended temporarily by the Commission alone if sufficient evidence of human rights or labour rights violations is found, *either on its own initiative or at the request of a Member State or* the European Parliament;

*Amendment*

3. Considers, in this context, that in future legislation Parliament should insist on an arrangement whereby trade advantages, including those stemming from free trade agreements, can be suspended temporarily by the Commission alone if sufficient evidence of human rights or labour rights violations is found, *or shall be suspended by the Commission at the request of a certain number of Member States and/or* the European Parliament;

Or. en

**Amendment 17**  
**László Tóké**

**Draft opinion**  
**Paragraph 3a (new)**

*Draft opinion*

*Amendment*

***3a. Reminds the Commission that in the framework of article 207 of the Lisbon Treaty, EU legislation concerning external trade will be adopted jointly by the EP and the Council; therefore, the EP should make best use of its enhanced powers, either on its own initiative or at the request of a Member State, to influence the Commission to suspend temporarily trade advantages, including those stemming from free trade agreements with third countries whenever it detects human rights or labour rights violations;***

Or. en

**Amendment 18**  
**Miroslav Mikolášik**

**Draft opinion**  
**Paragraph 3a (new)**

*Draft opinion*

*Amendment*

***3a. Calls for the establishment of an arbitration body with binding powers;***

Or. en

**Amendment 19**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Underlines that ways should be found to **monitor more closely allegations of serious and systematic violations of human and labour rights**; in this context, suggests that **consideration might** be given to involving EU representatives (as things stand **from** the Commission, **or** in future **from** the EEAS) in investigation missions carried out under UN special procedures **where there are implications for EU trade agreements**;

*Amendment*

4. Underlines that ways should be found to **take into account and analyse more systematically statements referring to serious or systematic violations of human rights**; in this context, suggests that **a special place should** be given to involving **civil society (in particular NGOs working in the area of the defence of human rights, the fight against exclusion and discrimination and environmental protection and trade unions, especially those from third countries concerned by the agreement signed)** and EU representatives (as things stand **representatives of** the Commission, **and** in future **those of** the EEAS) in investigation missions carried out under UN special procedures **relating to human rights violations in countries with which the Union has concluded a trade agreement**;

Or. fr

**Amendment 20**  
**David Martin**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Underlines that ways should be found to monitor more closely allegations of serious and systematic violations of human and labour rights; in this context, suggests that consideration might be given to **involving** EU representatives (as things stand from the Commission, or in future from the EEAS) in investigation missions carried out under UN special procedures where there are implications for EU trade agreements;

*Amendment*

4. Underlines that ways should be found to monitor more closely allegations of serious and systematic violations of human and labour rights; in this context, suggests that consideration might be given to **associating** EU representatives (as things stand from the Commission, or in future from the EEAS) in investigation missions carried out under UN special procedures where there are implications for EU trade agreements;

**Amendment 21**  
**Miroslav Mikolášik**

**Draft opinion**  
**Paragraph 4a (new)**

*Draft opinion*

*Amendment*

***4a. Calls on the Commission to clarify the possibility to prosecute multilateral corporations before international courts and tribunals for violations of humanitarian law;***

Or. en

**Amendment 22**  
**Helmut Scholz**

**Draft opinion**  
**Paragraph 4a (new)**

*Draft opinion*

*Amendment*

***4a. Draws attention to the fact that, despite the welcome introduction of social, human rights and environmental clauses in international trade agreements, these are minimum requirements and one instrument among others, and stresses that they must absolutely be prevented from being misused in a protectionist way, and therefore a gradual approach to implementing these clauses should be taken which promotes consultation and democratic inclusion of all parties in the decision-making process and, first and foremost, favours incentives over penalties;***

Or. de

**Amendment 23**  
**Kinga Gál**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Calls on the Commission to table a proposal for a regulation banning the import into the EU of goods produced using ***slave or forced labour*** in violation of basic human rights standards; emphasises that such a regulation would have to enable the EU to investigate specific claims;

*Amendment*

5. Calls on the Commission to table a proposal for a regulation banning the import into the EU of goods produced using ***modern forms of slavery, forced labour, especially forced labour of particular vulnerable groups, children*** in violation of basic human rights standards; emphasises that such a regulation would have to enable the EU to investigate specific claims;

Or. en

**Amendment 24**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. ***Calls on*** the Commission to table a proposal for a regulation banning the import into the EU of goods produced ***using slave or forced labour*** in violation of basic human rights standards; emphasises that such a regulation would have to enable the EU to investigate specific claims;

*Amendment*

5. ***Urges*** the Commission to ***swiftly*** table a proposal for a regulation banning the import into the EU of goods produced in violation of basic human rights standards, ***basing itself in particular on the International Convention on the Rights of the Child and the 1998 declaration by the International Labour Organization on fundamental principles and rights at work, and in particular those relating to freedom of association, forced labour and child labour***; emphasises that such a regulation would have to enable the EU to investigate specific claims ***when there seems to be sufficient evidence of a***

*violation of these international standards;*

Or. fr

**Amendment 25**

**Metin Kazak**

**Draft opinion**

**Paragraph 5**

*Draft opinion*

5. Calls on the Commission to table a proposal for a regulation banning the import into the EU of goods produced using slave or forced labour in violation of human rights standards; emphasises that such a regulation would have to enable the EU to investigate specific claims;

*Amendment*

5. Calls on the Commission to table a proposal for a regulation banning the import into the EU of goods produced using slave or forced labour in violation of human rights standards; emphasises that such a regulation would have to enable the EU to investigate specific claims; ***calls on the Commission to abstain from trading with third countries where there is strong evidence that worker's rights, especially those of women and children are abused;***

Or. en

**Amendment 26**

**Miroslav Mikolášik**

**Draft opinion**

**Paragraph 5**

*Draft opinion*

5. Calls on the Commission to table a proposal for a regulation banning the import into the EU of goods produced using slave or forced labour in violation of basic human rights standards; emphasises that such a regulation would have to enable the EU to investigate specific claims;

*Amendment*

5. Calls on the Commission to table a proposal for banning the import into the EU of goods produced using slave, ***child*** or forced labour in violation of basic human rights standards; emphasises that such a regulation would have to enable the EU to investigate specific claims;

Or. en

**Amendment 27**  
**Nicole Kiil-Nielsen**

**Draft opinion**  
**Paragraph 5a (new)**

*Draft opinion*

*Amendment*

***5a. Calls on the Commission to guarantee that no goods produced by children may be imported into the European Union, through reinforced checks on importation and also greater vigilance in respect of conditions of production in exporting countries;***

Or. fr

**Amendment 28**  
**Metin Kazak**

**Draft opinion**  
**Paragraph 5a (new)**

*Draft opinion*

*Amendment*

***5. Calls upon all Member States to implement the Council Regulation (EC) of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment and to make its provisions binding in all international trade agreements;***

Or. en

**Amendment 29**  
**Helmut Scholz**

**Draft opinion**  
**Paragraph 5a (new)**

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*Draft opinion*

*Amendment*

***5a. Takes the view that social rights are universal rights, which, however, must not only be proclaimed, but the implementation of which in practice must also be promoted; calls, therefore, on the Commission and the Member States to show solidarity and support in particular the poorest countries in the world in implementing these rights;***

Or. de

**Amendment 30**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Calls on the Commission to review EU export regulations in the light of the scope for the transfer of technology, including sophisticated Internet scanning and censorship *software*, to *oppressive* regimes; asks the Commission to table a proposal for a regulation on a new licensing system if this review suggests that legislative action is needed.

*Amendment*

6. Calls on the Commission to review EU export regulations in the light of the scope for the transfer of technology, including sophisticated *software for* Internet scanning and censorship *and data mining, including data of a personal nature*, to *repressive* regimes; asks the Commission to table a proposal for a regulation on a new licensing system if this review suggests that legislative action is needed.

Or. fr

**Amendment 31**  
**Marietje Schaake**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Calls on the Commission to review EU export regulations in the light of the scope for the transfer of **technology**, including sophisticated Internet scanning and censorship software, to oppressive regimes; asks the Commission to table a proposal for a regulation on a new licensing system if this review suggests that legislative action is needed.

*Amendment*

6. Calls on the Commission to review EU export regulations in the light of the scope for the transfer of **technologies built according to European standards**, including **mobile phones and communication networks**, sophisticated Internet scanning and censorship software, to oppressive regimes; asks the Commission to table a proposal for a regulation on a new licensing system if this review suggests that legislative action is needed.

Or. en

**Amendment 32**  
**Metin Kazak**

**Draft opinion**  
**Paragraph 6a (new)**

*Draft opinion*

*Amendment*

**6a. Calls for regular evaluations of human rights commitments provided in international trade agreements;**

Or. en

**Amendment 33**  
**Miroslav Mikolášik**

**Draft opinion**  
**Paragraph 6a (new)**

*Draft opinion*

*Amendment*

**6a. Underlines that the TRIPS agreements' provisions shall respect the enjoyment of right to health of the population in developing countries;**

**Amendment 34**  
**Miroslav Mikolášik**

**Draft opinion**  
**Paragraph 6b (new)**

*Draft opinion*

*Amendment*

***6b. Calls on the Commission to review the EU export regulations in the field of sale, supply, transfer or export of arms and related materiel of all types, including ammunition, equipment and spare parts, to the countries or to regimes that are likely to use them for internal repression of the civil society and violations of human rights;***

Or. en

**Amendment 35**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 6a (new)**

*Draft opinion*

*Amendment*

***6a. Calls on the Commission and Member States to see to it that companies which come under national or European law do not disregard human rights and the health and environmental standards applicable to them when they establish themselves or conduct their activities in a third country, in particular in the least-developed or developing countries;***

Or. fr

**Amendment 36**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 6b (new)**

*Draft opinion*

*Amendment*

***6b. Calls on the Commission to revise its communication 'Global Europe: competing in the world', published in 2006, taking account of the reorientation proposed with regard to respect for democracy, the rule of law and human rights;***

Or. fr

**Amendment 37**  
**Marie-Christine Vergiat**

**Draft opinion**  
**Paragraph 6c (new)**

*Draft opinion*

*Amendment*

***6c. Stresses that the credibility of the European Union as regards the protection and promotion of human rights and compliance with social and environmental standards in the world is closely linked to observance of these by the EU, both within the EU and in all of the international agreements which it signs, including trade agreements;***

Or. fr

**Amendment 38**  
**Elisabeth Jeggle, Barbara Lochbihler**

**Draft opinion**  
**Paragraph 6a (new)**

*Draft opinion*

*Amendment*

***6a. Calls, in parallel with a commitment to human rights, development aid and international trade agreements, for the regional development process to be strengthened in a sustainable way in accordance with the UN Millennium Development Goals;***

Or. de

**Amendment 39**  
**Marietje Schaake**

**Draft opinion**  
**Paragraph 6a (new)**

*Draft opinion*

*Amendment*

***6a. Encourages EU representatives (as things stand from the Commission, or in the future from the EEAS) to share knowledge on human rights situations with the business community.***

Or. en