



**2017/2206(INI)**

2.3.2018

# **AMENDMENTS**

## **1 - 81**

**Draft opinion**

**Maria Heubuch**

Violation of the rights of indigenous peoples in the world, including land grabbing

(2017/2206(INI))



**Amendment 1**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

***-1. Notes that the increase of large-scale land acquisitions, driven mainly by agribusiness, the forestry, biofuels and tourism industries, has impacted negatively on indigenous people, which are forced away from their lands;***

Or. en

**Amendment 2**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

***-1a. Reiterates that indigenous people around the world suffer disproportionately from violations of human rights, from crime, health problems, and high rates of poverty as they comprise 15 percent of those living in poverty while they account for 5 per cent of the world's population only;***

Or. en

**Amendment 3**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

**Draft opinion**

## Paragraph 1

*Draft opinion*

1. Recalls Article 208 TFEU, Agenda 2030 and the fact that the EU is bound by a rights-based approach to development;

*Amendment*

*deleted*

Or. en

## Amendment 4 Rainer Wieland

### Draft opinion Paragraph 1

*Draft opinion*

1. Recalls Article 208 TFEU, Agenda 2030 and the fact that the EU *is bound by a rights-based approach to* development;

*Amendment*

1. Recalls Article 208 TFEU, Agenda 2030 and *welcomes* the fact that the EU *has contributed to international advancement and recognition of the rights of indigenous people as set out in the UNDRIP ;considers, however, that support to the rights of indigenous people should be better integrated into EU's development action, and notably in the context of the implementation of the SDG's; recalls that the European Consensus for Development brings a particular focus on promoting the rights of the most vulnerable groups, including indigenous people;*

Or. en

## Amendment 5 Mireille D'Ornano, Florian Philippot

### Draft opinion Paragraph 1

*Draft opinion*

1. Recalls *Article* 208 TFEU, Agenda

PE619.081v01-00

*Amendment*

1. Recalls 208 TFEU, *which specifies*

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2030 and the fact that the EU is bound by a rights-based approach to development;

*that the primary objective of Union development cooperation policy is to eradicate poverty and that the Union and the Member States must meet the undertakings given and the objectives set in the United Nations and other competent international organisations; recalls, further, Agenda 2030 and the fact that the EU is bound by a rights-based approach to development;*

Or. fr

**Amendment 6**  
**Mireille D'Ornano, Florian Philippot**

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

*Draft opinion*

1. Recalls Article 208 TFEU, Agenda 2030 and the fact that the EU is bound by a rights-based approach to development;

*Amendment*

1. Recalls Article 208 TFEU, Agenda 2030 and the fact that the EU is bound by a rights-based approach to development, *particularly the rights of societies and peoples from third countries which receive support under co-development programmes;*

Or. fr

**Amendment 7**  
**Lola Sánchez Caldentey**

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

*Draft opinion*

1. Recalls Article 208 TFEU, Agenda 2030 and the fact that the EU is bound by a rights-based approach to development;

*Amendment*

1. Recalls *Article 21 TEU*, Article 208 TFEU, Agenda 2030 and the fact that the EU is bound by a rights-based approach to development;

**Amendment 8**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

***1a. Recalls that the Agenda 2030 addresses these development concerns of indigenous peoples and underlines that a stepped up effort for its implementation is needed; stresses the need to strengthen the Indigenous Peoples Major Group for Sustainable Development (IPMG) as the global mechanism for coordination and concerted efforts to advance the rights and development priorities of indigenous peoples; calls on the European Commission to better liaise with and include the IMPG in its Multi-Stakeholder Platform on SDGs;***

**Amendment 9**  
**Cécile Kashetu Kyenge**

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

*Draft opinion*

*Amendment*

***1a. Calls on partner countries to ensure that indigenous peoples have universal access to their national population registers as the first step towards recognising their individual and collective rights; calls on the EU to support partner countries in establishing civil registry offices and managing them***

*properly;*

Or. it

**Amendment 10**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

*1b. Recalls the EU's commitment to follow a Rights-Based Approach (RBA) to development, which includes the respect of indigenous peoples' rights as defined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and singles out the principles of accountability and participation, non-discrimination; strongly encourages the EU to continue its work on operationalising this Rights Based Approach in all development activities and to set up a Task Force with Member States for this purpose; calls for an update of the respective implementation plan with clear timelines and indicators to measure progress;*

Or. en

**Amendment 11**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

*1c. Recalls Article 208 TFEU and the principle of Policy Coherence of*

*Development, notes with concern that the EU energy, agriculture, trade and investment policies have proven to be drivers of landgrabbing in third countries as large-scale land acquisitions negatively impact indigenous peoples' access to land; deplores that the ongoing revision of the Renewable Energy Directive has so far failed to introduce social and sustainability criteria taking into account risks of land grabbing; recalls that the Directive should be consistent with international tenure right standards;*

Or. en

**Amendment 12**  
**Rainer Wieland**

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

*Draft opinion*

2. *Deplores* the allegations that ODA projects have negatively affected the rights of indigenous peoples; *regrets* that the *REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human rights obligations* in all domestic and international mitigation and adaptation instruments;

*Amendment*

2. *Notes with concern* the allegations that *some* ODA projects have negatively affected the rights of indigenous peoples; *calls on the Commission to conduct a proper investigation into these allegations and to make sure that the rights-based approach has been strictly applied and respected in all ODA-related projects, particularly regarding the rights of indigenous people; welcomes the fact that the Paris agreement supports the protection of indigenous people and local communities* in all domestic and international mitigation and adaptation instruments;

Or. en

**Amendment 13**  
**Maria Heubuch**

on behalf of the Verts/ALE Group

## Draft opinion

### Paragraph 2

#### *Draft opinion*

2. *Deplores* the allegations that *ODA* projects have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the *EU* to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments;

#### *Amendment*

2. *Is alarmed by* the allegations that *certain cooperation programmes funded by Official Development Assistance, notably climate change mitigation* projects, have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the *European Commission and the Member States* to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments *and calls for the establishment of effective complaint and redress mechanisms*;

Or. en

## Amendment 14

Mireille D'Ornano, Florian Philippot

## Draft opinion

### Paragraph 2

#### *Draft opinion*

2. *Deplores* the allegations that ODA projects have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments;

#### *Amendment*

2. *Is alarmed by* the allegations that ODA projects have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human *rights and, more specifically, indigenous* rights obligations in all domestic and international mitigation and adaptation instruments;

Or. fr

**Amendment 15**  
**Lola Sánchez Caldentey**

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

*Draft opinion*

2. Deplores the allegations that ODA projects have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments;

*Amendment*

2. Deplores the allegations that *some* ODA projects, *specially blending ones*, have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments;

Or. en

**Amendment 16**  
**Louis Michel**

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

*Draft opinion*

2. Deplores the allegations that ODA projects have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments;

*Amendment*

2. Deplores the allegations that ODA projects have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments; *points out that the EU has established an array of policies in the form of human rights, development and financing instruments to support the rights of indigenous peoples;*

Or. fr

**Amendment 17**  
**Doru-Claudian Frunzulică**

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

*Draft opinion*

2. Deplores the allegations that ODA projects have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments;

*Amendment*

2. Deplores the allegations that ODA projects have negatively affected the rights of indigenous peoples; regrets that the REDD+ programme has failed to secure tenure rights for local forest communities; urges the EU to support the inclusion of human rights obligations in all domestic and international mitigation and adaptation instruments; ***calls on the EU Delegations to reinforce the dialogue with indigenous peoples on the ground further in order to identify and prevent human rights violations;***

Or. en

**Amendment 18**  
**Lola Sánchez Caldentey**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2a. Highlights that the FLEGT Action Plan, and in particular VPAs, could play a more significant role in empowering indigenous and forest communities in a number of tropical forested countries, and urges the EU and VPA partners to enable them greater roles in national policy processes; calls on the EU to provide more financial and technical assistance to partner countries in order to protect, maintain and restore forest ecosystems, including by improving governance;***

*clarify and strengthen land tenure and respect human rights, including the rights of indigenous peoples, and support protected areas that uphold community rights;*

Or. en

**Amendment 19**  
**Maria Heubuch, Judith Sargentini**  
on behalf of the Verts/ALE Group

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

*2a. Urges the European Commission and the Member States to establish, as an immediate step, an effective administrative complaint mechanism for victims of human rights violations and other harmful impacts induced by ODA-funded activities to initiate investigation and reconciliation processes; this mechanism shall have standardized procedures, be of administrative nature, thus be complementary to judicial mechanisms, and EU Delegations could act as entry points;*

Or. en

**Amendment 20**  
**Louis Michel**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

*2a. Points out that the FLEGT initiative, set up to tackle illegal logging and the resulting illegal profits, may help*

*to make the REDD+ programme a success by promoting, in particular, improvements to forest governance and law enforcement;*

Or. fr

**Amendment 21**  
**Maria Noichl**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

*2a. Stresses the high relevance of the Sustainable Development Goals with regard to indigenous peoples, notably SDG 2 (zero hunger), 4.5 (access to education) and 5 (gender equality);*

Or. de

**Amendment 22**  
**Lola Sánchez Caldentey**

**Draft opinion**  
**Paragraph 2 b (new)**

*Draft opinion*

*Amendment*

*2b. Stresses the need to adopt specific measures to address conflict timber, to stem the flow of conversion timber, and to shift investment away from forest-damaging activities resulting in displacement of local and indigenous communities; calls on the EU to adopt additional measures to support the protection and restoration of forest ecosystems and their communities, and eliminate deforestation from the EU's supply chains, as part of a new EU Action Plan on deforestation, forest degradation*

*and respect for forest communities tenure rights;*

Or. en

**Amendment 23**  
**Louis Michel**

**Draft opinion**  
**Paragraph 2 b (new)**

*Draft opinion*

*Amendment*

**2b. Recognises the knowledge held by indigenous communities when it comes to protecting biodiversity and environmental conservation; calls on the international community to recognise and safeguard solidarity and third-generation rights with a view, in particular, to keeping the environment healthy, taking the measures required to tackle climate change, fostering development and protecting the common heritage of humankind;**

Or. fr

**Amendment 24**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

**Draft opinion**  
**Paragraph 2 b (new)**

*Draft opinion*

*Amendment*

**2b. Calls on development partners to carry out thorough assessments before the usage of land declared as “empty”, “idle” or “unused” is to be changed as this can threaten indigenous peoples’ livelihoods and their access to land, forests or natural resources; recalls that indigenous peoples**

*should not be displaced from their lands or territories and if relocation is deemed necessary, the affected people should receive just, fair and equitable compensation; singles out the specific case of nomadic pastoralist people;*

Or. en

**Amendment 25**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

**Draft opinion**  
**Paragraph 2 c (new)**

*Draft opinion*

*Amendment*

*2c. Recalls that 80% of forests worldwide constitutes traditional lands and territories of indigenous peoples; stresses the vital role of indigenous people for sustainable management of natural resources and biodiversity conservation; recalls that UNFCCC calls upon its state parties to respect the knowledge and rights of indigenous peoples as safeguards in implementing REDD+; urges partner countries to adopt measures to effectively engage indigenous peoples in climate change adaptation and mitigation measures;*

Or. en

**Amendment 26**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

3. *Deplores that in many countries affected by land grabbing, effective access to justice and remedy for indigenous peoples and pastoralists is limited due to weak governance and because their land rights are often not formally recognised under local or national legal frameworks;* urges partner countries to recognise and protect *pastoralist and* indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169, *i.e. by enabling collective registration of land use and by putting in place policies aimed at ensuring more equitable access to land*; calls for the EU to support partner countries in this and in applying the principle of Free, Prior and Informed Consent (*FPIC*) to large-scale land acquisitions, *as set out in the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests and in compliance with international human rights law*;

Or. en

**Amendment 27**  
**Maria Noichl**

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

*Draft opinion*

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

*Amendment*

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; *stresses, in particular, the need to respect and promote the ancestral rights of indigenous peoples, derived from their political, economic and social structures and their culture, spiritual traditions, history and ways of thinking, in particular*

*their rights to their land; notes, in particular, that it is the role of the governments concerned to work with indigenous peoples to develop coordinated and well-designed measures to protect the rights of these peoples and to ensure respect for their integrity; calls for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;*

Or. de

**Amendment 28**  
**Cécile Kashetu Kyenge**

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

*Draft opinion*

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

*Amendment*

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls, *in addition, on partner countries to improve their land ownership legislation by recognising the universal right of women to have access to land as full owners; calls* for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

Or. it

**Amendment 29**  
**Mireille D'Ornano, Florian Philippot**

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

*Draft opinion*

3. Urges partner countries to recognise and protect indigenous peoples' **rights** to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

*Amendment*

3. Urges partner countries to recognise and protect **all the rights of** indigenous peoples, **particularly with regard** to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

Or. fr

**Amendment 30**

**Mireille D'Ornano, Florian Philippot**

**Draft opinion**

**Paragraph 3**

*Draft opinion*

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

*Amendment*

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU **Member States** to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

Or. fr

**Amendment 31**

**Lola Sánchez Caldentey**

**Draft opinion**

**Paragraph 3**

*Draft opinion*

*Amendment*

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU to support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

3. Urges partner countries to recognise and protect indigenous peoples' rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169; calls for the EU to *actively* support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions;

Or. en

**Amendment 32**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

***3a. Notes that between 200 and 500 million people worldwide practise pastoralism and that pastoralism is central to livelihood strategies in the drylands and mountainous regions of East Africa; stresses the need to foster sustainable pastoralism to reach the SDGs; encourages the EU and its Member States to support the African Governance Architecture (AGA) and in particular the African Court of Human and Peoples' Rights, in order to implement the African Union Policy Framework on Pastoralism in Africa and, more broadly, to recognise pastoralists' and indigenous peoples' rights related to communal ownership of ancestral land, the right to dispose freely of natural resources and their rights to culture and religion;***

Or. en

**Amendment 33**  
**Louis Michel**

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

*Draft opinion*

*Amendment*

**3a. Stresses that indigenous women suffer double discrimination; calls on the international community to encourage partner countries to take measures that enable indigenous women to exercise their rights to the full, including their right to ownership, and to take part in political life; calls on the countries concerned to foster the empowerment of women;**

Or. fr

**Amendment 34**  
**Maria Noichl**

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

*Draft opinion*

*Amendment*

**3a. Deplores the lack of opportunities for indigenous peoples to participate in decision-making; calls on the EU to actively support an enhanced participatory process in its partner countries;**

Or. de

**Amendment 35**  
**Ignazio Corrao**

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

*Draft opinion*

*Amendment*

**3a.** *Reaffirms the urgency to move beyond the current impasse in relation to land demarcation. Reiterates the need to create a public register of indigenous lands occupied or involved in European corporations' interests.*

Or. en

**Amendment 36**  
**Doru-Claudian Frunzuliță**

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

*Draft opinion*

*Amendment*

**3a.** *Underlines that particular attention should be given to empowering indigenous women, in particular by strengthening their equal access to productive resources and agricultural inputs;*

Or. en

**Amendment 37**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

**3b.** *Notes with concern that human rights risks associated with mining, oil and gas extraction fall disproportionately on indigenous people; calls on developing countries to carry out mandatory human rights impact assessments prior to all new activities in these sectors and to disclose*

*their findings; stresses the need to ensure that the legislation governing the granting of concessions includes provisions on FPIC; recommends the Extractive Industry Transparency Initiative (EITI) to broaden its standards to include protection of the human rights of local and indigenous communities;*

Or. en

**Amendment 38**

**Louis Michel**

**Draft opinion**

**Paragraph 3 b (new)**

*Draft opinion*

*Amendment*

*3b. Points out that women and young people in indigenous communities have a right to sexual and reproductive health; calls for support for the CSOs working on those issues;*

Or. fr

**Amendment 39**

**Maria Heubuch**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 3 c (new)**

*Draft opinion*

*Amendment*

*3c. Highlights the link between the right to food and land rights for indigenous peoples; points out that, according to the United Nations report on the State of the World's Indigenous Peoples (1), the promotion of new technologies such as improved seeds, chemical fertilizers and pesticides, the*

*introduction of cash-crop cultivation and large plantation schemes have caused environmental degradation and destroyed ecosystems, affecting many indigenous communities to the point of forcing them to resettle elsewhere;*

[1]

<http://www.un.org/esa/socdev/unpfii/documents/SOWIP/press%20package/sowip-press-package-en.pdf>

Or. en

**Amendment 40**  
**Rainer Wieland**

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

*Draft opinion*

4. Stresses that bilateral investment agreements *fail to recognise* indigenous peoples' *land* rights; recalls that international investment *law has* to respect international human rights law; calls on development finance institutions to strengthen their human rights safeguards;

*Amendment*

4. Stresses that bilateral investment agreements *may negatively affect* indigenous people's rights *and limit their participation to decision-making*; Recalls that international investment *agreements have* to respect international human rights law *and calls for greater transparency in this regard, notably by setting up adequate consultation procedures and mechanisms in cooperation with indigenous peoples*; calls on development finance institutions to strengthen their human rights safeguards *to ensure that the exploitation of land and resources in developing countries does not lead to any human rights violations or abuses*;

Or. en

**Amendment 41**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

4. Stresses that bilateral investment agreements fail to recognise indigenous peoples' land rights; recalls that international investment law has to **respect** international human rights law; calls on development finance institutions to strengthen their human rights safeguards;

*Amendment*

4. Stresses that bilateral investment agreements **often** fail to recognise indigenous peoples' land rights; recalls that international investment law has to **comply with** international human rights law, **including the right of governments to regulate in the public interest**; calls on Development Finance Institutions **that fund investments** to strengthen their human rights safeguards,

Or. en

**Amendment 42**  
**Lola Sánchez Caldentey**

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

*Draft opinion*

4. Stresses that bilateral investment agreements fail to recognise indigenous peoples' land rights; recalls that international investment law has to respect international human rights law; calls on development finance institutions to strengthen their human rights safeguards;

*Amendment*

4. Stresses that bilateral investment agreements fail to recognise indigenous peoples' land rights; recalls that international investment law has to respect international human rights law; calls **for the suspension of those BITs which threaten human rights**; calls on development finance institutions to strengthen their human rights safeguards;

Or. en

**Amendment 43**  
**Mireille D'Ornano, Florian Philippot**

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

*Draft opinion*

4. Stresses that bilateral investment agreements fail to recognise indigenous peoples' land rights; recalls that international investment law has to respect international human rights law; calls on development finance institutions to strengthen their human rights safeguards;

*Amendment*

4. Stresses that bilateral investment agreements fail to recognise indigenous peoples' land rights; recalls that international investment law has to respect international human rights law, ***particularly where it concerns the rights of indigenous peoples***; calls on development finance institutions to strengthen their human rights safeguards;

Or. fr

**Amendment 44**  
**Maria Noichl**

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

*Draft opinion*

4. Stresses that bilateral investment agreements fail to recognise indigenous peoples' land rights; recalls that international investment law has to respect international human rights law; calls on development finance institutions to strengthen their human rights safeguards;

*Amendment*

4. Stresses that bilateral investment agreements fail to recognise indigenous peoples' land rights; recalls that international investment law has to respect international human rights law; calls on development finance institutions to strengthen their human rights safeguards, ***since investment and trade agreements must under no circumstances have a negative impact on indigenous peoples***;

Or. de

**Amendment 45**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

**4a. Urges the EU to ensure that of its all investment and trade agreements include provisions for mandatory and independent ex-ante and ex-post human rights impact assessments, due diligence requirements and effective accountability mechanisms; stresses the need to develop databases to systematically record and disclose land deals in third countries involving EU actors in order to ensure more transparency and, ultimately, more accountability;**

Or. en

**Amendment 46**  
**Cécile Kashetu Kyenge**

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

*Draft opinion*

*Amendment*

**4a. Stresses the need to recognise the political and social rights of indigenous peoples, including the right to vote and to stand for election and the effectiveness of their freedom of expression; calls on partner countries to commit themselves to phasing out all the exclusion factors that adversely affect the lives of those indigenous peoples;**

Or. it

**Amendment 47**  
**Louis Michel**

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

*Draft opinion*

*Amendment*

**4a. Calls on the international**

*community to recognise and consolidate the forms of governance and representation specific to indigenous peoples with a view to establishing a constructive dialogue with local, national and regional authorities and the private sector;*

Or. fr

**Amendment 48**  
**Rainer Wieland**

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

*Draft opinion*

*Amendment*

*4a. Asks the commission to set up an administrative complaint mechanism, which would allow local populations, including indigenous peoples, to report cases of breach of human rights in the implementation of its development policies;*

Or. en

**Amendment 49**  
**Rainer Wieland**

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

*Draft opinion*

*Amendment*

*4b. Urges partner countries to recognise and protect indigenous people's rights to customary ownership and control of their lands and natural resources as set out in the UNDRIP and ILO Convention 169:calls for the EU to continue to contribute to the prevention of land grabbing by supporting partner*

*countries in applying at national level the principle of free, prior and informed consent to large-scale land acquisitions; as well as the UN Voluntary Guidelines*

Or. en

**Amendment 50**  
**Mireille D'Ornano, Florian Philippot**

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

*Draft opinion*

5. *Welcomes the fact* that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests will become binding for the External Investment Plan; insists that *they* should *be binding for* all EU ODA projects;

*Amendment*

5. *Notes* that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests will become binding for the External Investment Plan; *deplores that decision*; insists that *the guidelines* should *reflect the fact that States have sovereign powers in respect of these matters and* all EU ODA projects;

Or. fr

**Amendment 51**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

5. Welcomes the *fact* that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests will become binding for the External Investment Plan; insists that they should *be* binding for all EU ODA *projects*;

*Amendment*

5. Welcomes the *announcement of the European Commission* that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests will become binding for the External Investment Plan; insists that they should *become* binding for all EU *external action funded by* ODA;

**Amendment 52**  
**Rainer Wieland**

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

*Draft opinion*

5. Welcomes the fact that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests ***will become binding for the*** External Investment Plan; ***insists that they should be binding for all EU*** ODA projects;

*Amendment*

5. Welcomes the fact that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests ***are included in the EU*** External Investment Plan ***and calls on the EU to promote and apply these guidelines across all its*** ODA projects;

Or. en

**Amendment 53**  
**Lola Sánchez Caldentey**

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

*Draft opinion*

5. Welcomes the fact that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests will become binding for the External Investment Plan; insists that they ***should*** be binding for all EU ODA projects;

*Amendment*

5. Welcomes the fact that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests will become binding for the External Investment Plan; insists that they ***must*** be binding for all EU ODA projects;

Or. en

**Amendment 54**  
**Louis Michel**

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

*Draft opinion*

5. Welcomes the fact that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests will become binding for the External Investment Plan; insists that they should be binding for all EU ODA projects;

*Amendment*

5. Welcomes the fact that the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests will become binding for the External Investment Plan; insists that they should be binding for all EU ODA projects; ***draws attention to the right of indigenous peoples to retain control over the resources they need for their survival and development, in particular in the area of fisheries;***

Or. fr

**Amendment 55**

**Maria Noichl**

**Draft opinion**

**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

***5a. Underlines in this regard that an increase in land concentration often leads to an increase in human rights violations, including through displacement; underlines also that the appropriation of land leads to the appropriation of resources, such as water use rights, and thus poses a twofold threat to indigenous peoples;***

Or. de

**Amendment 56**

**Rainer Wieland**

**Draft opinion**

**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

**5a. Welcomes that the European Council made the protection of indigenous people's rights a priority, as laid out in the Council Conclusions of May 2017;**

Or. en

**Amendment 57**

**Maria Heubuch**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 6**

*Draft opinion*

6. Calls **for** the EU to take legally binding measures to hold **corporations** accountable for breaches of human rights in third countries and to provide effective remedy, complaint and sanction mechanisms.

*Amendment*

6. **Recalls that the European Convention on Human Rights defines both domestic and extraterritorial obligations for states regarding their duties to provide access to remedies for victims of human rights violations; calls on** the EU to take legally binding measures to hold **European corporate and financial entities** accountable for breaches of human rights in third countries and to provide effective remedy, complaint and sanction mechanisms, **including in cases of their involvement in landgrabbing;**

Or. en

**Amendment 58**

**Rainer Wieland**

**Draft opinion**

**Paragraph 6**

*Draft opinion*

6. Calls for the EU to take **legally binding** measures to hold corporations accountable for **breaches of** human rights

*Amendment*

6. Calls for the EU to take **all necessary** measures **to make sure that its activities, both in the fields of**

*in third countries and to provide effective remedy, complaint and sanction mechanisms.*

*development and trade, comply with the highest standards of human rights; in this regards, reiterates its supports to the work of the EU in the framework of the negotiations for a UN treaty on human rights and business in order to hold corporations accountable for human rights violations;*

Or. en

**Amendment 59**  
**Mireille D'Ornano, Florian Philippot**

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

*Draft opinion*

6. Calls for *the EU* to take legally binding measures to hold corporations accountable for breaches of human rights in third countries and to provide effective remedy, complaint and sanction mechanisms.

*Amendment*

6. Calls for *each Member State* to take legally binding measures to hold corporations *under their jurisdiction* accountable for breaches of human rights in third countries and to provide effective remedy, complaint and sanction mechanisms.

Or. fr

**Amendment 60**  
**Louis Michel**

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

*Draft opinion*

6. Calls for the EU to take legally binding measures to hold corporations accountable for breaches of human rights in third countries and to provide effective remedy, complaint *and sanction* mechanisms.

*Amendment*

6. Calls for the EU to take legally binding measures to hold corporations accountable for breaches of human rights in third countries and to provide effective remedy, complaint, *sanction and reparation* mechanisms.

**Amendment 61**  
**Maria Noichl**

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

*Draft opinion*

6. Calls for the EU to take legally binding measures to hold corporations accountable for breaches of human rights in third countries and to provide effective remedy, complaint and sanction mechanisms.

*Amendment*

6. Calls for the EU to take legally binding measures to hold corporations accountable for breaches of human rights in third countries and to provide effective remedy, complaint and sanction mechanisms; ***these complaint and compensation mechanisms must also apply to European investment projects;***

Or. de

**Amendment 62**  
**Maria Heubuch**  
on behalf of the Verts/ALE Group

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

*Draft opinion*

*Amendment*

***6a. Regrets the serious shortcomings of the UN “Protect, Respect, Remedy” framework and the Guiding Principles on business and human rights with regard to both indigenous peoples’ rights and land rights; calls on the EU to engage constructively in the work of the UN Human Rights Council on an international legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises; while this process is ongoing encourages such corporations to recognise the Voluntary Guidelines on the***

***Responsible Governance of Tenure of Land, Fisheries and Forests in codes of business conduct or other voluntary frameworks;***

Or. en

**Amendment 63  
Ignazio Corrao**

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

*Draft opinion*

*Amendment*

***6a. Calls the EU partners in the private and public sector to provide complete and accessible information on human rights violations that have been frequently associated with and documented in relation to extractive industries or certain development projects (such as increased cases of sexual violence against indigenous women and children, including those with disabilities, extra-judicial killings, land degradation and pollution of water sources and land) as well as information on processes of relocation and characteristics of alternative resettlements;***

Or. en

**Amendment 64  
Maria Noichl**

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

*Draft opinion*

*Amendment*

***6a. Criticises the fact that unsustainable imports from third countries, such as soya and palm oil,***

*which usually come from monocultures, often result in the clearing of forests, thereby destroying habitats and displacing indigenous peoples living there; calls in this connection for the introduction of sustainability criteria for the import of vegetable protein;*

Or. de

**Amendment 65**  
**Lola Sánchez Caldentey**

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

*Draft opinion*

*Amendment*

*6a. Warmly welcomes the work initiated in the preparation of a binding UN Treaty on Business and Human Rights which it is believed will enhance social corporate responsibility and curb impunity; regrets any obstructive behaviour in relation to this process, and calls for the EU and its Member States to engage constructively in these negotiations;*

Or. en

**Amendment 66**  
**Rainer Wieland**

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

*Draft opinion*

*Amendment*

*6a. Insists that the EU has to ensure the coherence and consistence of all its policies when acting in developing countries; further calls on the EU to evaluate systemically the impact of its*

*development, agricultural, trade and energy policies on the livelihoods of the most vulnerable people;*

Or. en

**Amendment 67**  
**Louis Michel**

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

*Draft opinion*

*Amendment*

**6a. Points out that the United Nations General Assembly has declared 2019 the International Year of Indigenous Languages; emphasises that culture is a factor for development;**

Or. fr

**Amendment 68**  
**Maria Noichl**

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

*Draft opinion*

*Amendment*

**6b. Highlights the structural multiple discrimination faced by indigenous women, who are particularly affected by the lack of access to education and jobs and to medical and social services; indigenous women are therefore more likely to be victims of trafficking and violence; the EU must therefore as a matter of urgency promote their right to a non-violent and equal life, especially with regard to land ownership rights and entitlements;**

Or. de

**Amendment 69**  
**Louis Michel**

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

*Draft opinion*

*Amendment*

***6b. Calls for specific legal arrangements to be drawn up which enable indigenous peoples to benefit from their own knowledge, prevent it from being exploited illegally and secure recognition for it, as stipulated, for example, by the Convention on the Protection and Promotion of the Diversity of Cultural Expressions;***

Or. fr

**Amendment 70**  
**Ignazio Corrao**

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

*Draft opinion*

*Amendment*

***6b. Stresses that European Union and Member States have to make serious commitments to including indigenous children with disabilities in all policies, actions and programmes related to international cooperation and external relations;***

Or. en

**Amendment 71**  
**Ignazio Corrao**

**Draft opinion**

**Paragraph 6 c (new)**

*Draft opinion*

*Amendment*

**6c. Calls on the European Commission to launch the EU Action Plan on Responsible Business Conduct, the Commission's intention having been welcomed by the Council of the European Union in its Conclusions of June 2016. This action plan should address the implementation of the UN guiding principles on business and human rights, including with regard to due diligence and access to remedy, and provide an overall policy framework;**

Or. en

**Amendment 72  
Maria Noichl**

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

*Draft opinion*

*Amendment*

**6c. Stresses that our consumption patterns tie down substantial resources from third countries; emphasises that European resource use worldwide is affecting indigenous peoples and underlines the responsibility that results from this situation;**

Or. de

**Amendment 73  
Louis Michel**

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

*Draft opinion*

*Amendment*

**6c. Calls on the partner countries to take measures to combat the socio-cultural isolation of a young generation which has lost its bearings and has been marginalised both inside and outside its own communities;**

Or. fr

**Amendment 74**  
**Maria Noichl**

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

*Draft opinion*

*Amendment*

**6d. Notes that grazing rights and common pastures, for example, are traditional land-use rights based on common law and not on vested ownership rights; emphasises nonetheless the essential importance of protecting these customary rights for indigenous peoples;**

Or. de

**Amendment 75**  
**Ignazio Corrao**

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

*Draft opinion*

*Amendment*

**6d. Emphasizes that a full and thorough protection must be put in place for indigenous leaders and human rights defenders who speak out against the injustices that their peoples are facing daily, putting themselves at risk for their communities.**

Or. en

**Amendment 76**  
**Louis Michel**

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

*Draft opinion*

*Amendment*

**6d.** *Draws attention to the role which diasporas play as an interface with and a conduit for knowledge to indigenous peoples;*

Or. fr

**Amendment 77**  
**Maria Noichl**

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

*Draft opinion*

*Amendment*

**6e.** *Points out that we in the EU still have much to learn about the sustainable use, for example of forests, from the indigenous peoples, who, moreover, scarcely contribute to climate change because of their way of life, but are particularly affected by it, because of drought or desertification, for example; an impact that affects women in particular;*

Or. de

**Amendment 78**  
**Ignazio Corrao**

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

*Draft opinion*

*Amendment*

**6e.** *Expresses deep concern with the structural and direct violence against indigenous peoples. From racism, discrimination and hate speech to threats, rapes and killings, indigenous peoples are exposed to gross human rights violations.*

Or. en

**Amendment 79**  
**Ignazio Corrao**

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

*Draft opinion*

*Amendment*

**6f.** *Calls on the EU to support the protection and promotion of indigenous rights. In this regard, the European Parliament, the European Commission and the European External Action Service should continue to play an instrumental role in reminding the governments to fully support its international obligations concerning indigenous rights, notably in Colombia and Brazil.*

Or. en

**Amendment 80**  
**Maria Noichl**

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

*Draft opinion*

*Amendment*

**6d.** *Notes with concern that the exploitation of raw materials in the territories of indigenous peoples further*

*aggravates conflicts, leading to the twofold exploitation and oppression of indigenous peoples in addition to the original land-grabbing;*

Or. de

**Amendment 81**  
**Ignazio Corrao**

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

*Draft opinion*

*Amendment*

***6g. Urges the EU to make sure that the Free, Prior and Informed Consent of people with disabilities living in indigenous communities is taken into account in any EU development project concerning indigenous people, by ensuring information and documentation about any project sponsored or funded by the EU on indigenous territories is accessible to Indigenous Persons with Disabilities;***

Or. en