3.3.2021

Amendment 12
Gunnar Beck
on behalf of the ID Group

Report
Lara Wolters
Corporate due diligence and corporate accountability
2020/2129(INL)

Motion for a resolution
Paragraph 1 – subparagraph 1 (new)

Motion for a resolution

Amendment

Recalls that shareholders and shareholder activism play a crucial role in due diligence exercises; calls for the promotion of shareholder activism as a concrete tool to scrutinize undertakings, rather than adding additional layers of red tape to the due diligence process.

Or. en
Motion for a resolution
Paragraph 11

11. Considers that some undertakings, and particularly publicly listed small and medium-sized undertakings and high-risk small and medium-sized undertakings may need less extensive and formalised due diligence processes, and that a proportionate approach should take into account, amongst other elements, the sector of activity, the size of the undertaking, the severity and likelihood of risks related to the respect of human rights, governance and environmental intrinsic to its operations and to the context of its operations, including geographic, its business model, its position in value chains and the nature of its products and services; calls for specific technical assistance to be provided to Union undertakings, especially to small and medium-sized undertakings, so that they can comply with due diligence requirements;

Amendment

11. Considers that some undertakings, and particularly small and medium-sized undertakings should be exempted from the application of the due diligence obligations. Nevertheless, where a Member State decides to apply the relevant due diligence legislation to small and medium-sized undertakings, such undertakings may need less extensive and formalised due diligence processes, and a proportionate approach should take into account, amongst other elements, the sector of activity, the size of the undertaking, the severity and likelihood of risks related to the respect of human rights, governance and environmental intrinsic to its operations and to the context of its operations, including geographic, its business model, its position in value chains and the nature of its products and services; calls for specific technical assistance to be provided to Union undertakings, especially to small and medium-sized undertakings, so that they can comply with due diligence requirements;

Or. en
Amendment 14
Luisa Regimenti, Paolo Borchia
on behalf of the ID Group

Report
Lara Wolters
Corporate due diligence and corporate accountability
2020/2129(INL)

Motion for a resolution
Annex I – part I – paragraph 8 – point 17

17. This Directive should apply to all large undertakings governed by the law of a Member State, established in the territory of the Union or operating in the internal market, regardless of whether they are private or state-owned and of the economic sector they are active in, including the financial sector. This Directive should also apply to publicly listed and high-risk small and medium-sized undertakings\(^{42}\).

\(^{42}\) The Commission should identify high-risk sectors of economic activity with a significant impact on human rights, the environment and good governance in order to include the small and medium-sized undertakings operating in those sectors within the scope of this Directive. High-risk small and medium-sized undertakings should be defined by the Commission in this Directive. The definition should take into account the sector of the undertaking or its type of activities.
Amendment 15
Luisa Regimenti, Paolo Borchia
on behalf of the ID Group

Report
Lara Wolters
Corporate due diligence and corporate accountability
2020/2129(INL)

Motion for a resolution
Article 2 – point 2

2. This Directive shall also apply to all publicly listed small and medium-sized undertakings, as well as high-risk small and medium-sized undertakings.

Amendment
2. Small and medium-sized undertakings shall be exempted from the application of this Directive. Nevertheless, Member States may assess whether it is necessary to apply the relevant due diligence legislation to such undertakings.