

24.5.2023

A9-0184/382

**Amendment 382**

**Axel Voss**

on behalf of the PPE Group

**Report**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**A9-0184/2023**

**Proposal for a directive**

**Recital 10**

*Text proposed by the Commission*

*Amendment*

**(10) According to the Commission Communication on forging a climate-resilient Europe<sup>89</sup> presenting the Union Strategy on Adaptation to climate change, new investment and policy decisions should be climate-informed and future-proof, including for larger businesses managing value chains. This Directive should be consistent with that Strategy. Similarly, there should be consistency with the Commission Directive [...] amending Directive 2013/36/EU as regards supervisory powers, sanctions, third-country branches, and environmental, social and governance risks (Capital Requirements Directive)<sup>90</sup>, which sets out clear requirements for banks' governance rules including knowledge about environmental, social and governance risks at board of directors level.**

**deleted**

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<sup>89</sup> *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Forging a climate-resilient Europe – the new EU Strategy on Adaptation to Climate Change (COM/2021/82 final), available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:82:FIN>.*

<sup>90</sup> *OJ C [...], [...], p. [...].*

Or. en

24.5.2023

A9-0184/383

**Amendment 383**

**Axel Voss**

on behalf of the PPE Group

**Report**

**A9-0184/2023**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**Proposal for a directive**

**Recital 11**

*Text proposed by the Commission*

*Amendment*

**(11) *The Action Plan on a Circular Economy<sup>91</sup>, the Biodiversity strategy<sup>92</sup>, the Farm to Fork strategy<sup>93</sup> and the Chemicals strategy<sup>94</sup> and Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe's recovery<sup>95</sup>, Industry 5.0<sup>96</sup> and the European Pillar of Social Rights Action Plan<sup>97</sup> and the 2021 Trade Policy Review<sup>98</sup> list an initiative on sustainable corporate governance among their elements.*** **deleted**

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<sup>91</sup> *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on A new Circular Economy Action Plan For a cleaner and more competitive Europe (COM/2020/98 final).*

<sup>92</sup> *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Biodiversity Strategy for 2030 Bringing nature back into our lives (COM/2020/380 final).*

<sup>93</sup> *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on A Farm to Fork Strategy for a fair, healthy and environmentally-friendly*

*food system (COM/2020/381 final).*

*<sup>94</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Chemicals Strategy for Sustainability Towards a Toxic-Free Environment (COM/2020/667 final).*

*<sup>95</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe's recovery (COM/2021/350 final).*

*<sup>96</sup> Industry 5.0;  
[https://ec.europa.eu/info/research-and-innovation/research-area/industrial-research-and-innovation/industry-50\\_en](https://ec.europa.eu/info/research-and-innovation/research-area/industrial-research-and-innovation/industry-50_en)*

*<sup>97</sup>*

*<https://op.europa.eu/webpub/empl/europe-an-pillar-of-social-rights/en/>*

*<sup>98</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Trade Policy Review – An Open, Sustainable and Assertive Trade Policy (COM/2021/66/final).*

Or. en

24.5.2023

A9-0184/384

**Amendment 384**

**Axel Voss**

on behalf of the PPE Group

**Report**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**A9-0184/2023**

**Proposal for a directive**

**Recital 51**

*Text proposed by the Commission*

*Amendment*

**(51)** *With a view to ensure that such emission reduction plan is properly implemented and embedded in the financial incentives of directors, the plan should be duly taken into account when setting directors' variable remuneration, if variable remuneration is linked to the contribution of a director to the company's business strategy and long-term interests and sustainability.*

*deleted*

Or. en

24.5.2023

A9-0184/385

**Amendment 385**

**Axel Voss**

on behalf of the PPE Group

**Report**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**A9-0184/2023**

**Proposal for a directive**

**Recital 63**

*Text proposed by the Commission*

*Amendment*

**(63) In all Member States' national laws, directors owe a duty of care to the company. In order to ensure that this general duty is understood and applied in a manner which is coherent and consistent with the due diligence obligations introduced by this Directive and that directors systematically take into account sustainability matters in their decisions, this Directive should clarify, in a harmonised manner, the general duty of care of directors to act in the best interest of the company, by laying down that directors take into account the sustainability matters as referred to in Directive 2013/34/EU, including, where applicable, human rights, climate change and environmental consequences, including in the short, medium and long term horizons. Such clarification does not require changing existing national corporate structures.**

**deleted**

Or. en

24.5.2023

A9-0184/386

**Amendment 386**

**Axel Voss**

on behalf of the PPE Group

**Report**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**A9-0184/2023**

**Proposal for a directive**

**Recital 64**

*Text proposed by the Commission*

*Amendment*

**(64) Responsibility for due diligence should be assigned to the company's directors, in line with the international due diligence frameworks. Directors should therefore be responsible for putting in place and overseeing the due diligence actions as laid down in this Directive and for adopting the company's due diligence policy, taking into account the input of stakeholders and civil society organisations and integrating due diligence into corporate management systems. Directors should also adapt the corporate strategy to actual and potential impacts identified and any due diligence measures taken.** **deleted**

Or. en

24.5.2023

A9-0184/387

**Amendment 387**

**Axel Voss**

on behalf of the PPE Group

**Report**

**A9-0184/2023**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**Proposal for a directive**

**Article 3 – paragraph 1 – point o**

*Text proposed by the Commission*

*Amendment*

**(o) ‘director’ means:** *deleted*

**(i) any member of the administrative, management or supervisory bodies of a company;**

**(ii) where they are not members of the administrative, management or supervisory bodies of a company, the chief executive officer and, if such function exists in a company, the deputy chief executive officer;**

**(iii) other persons who perform functions similar to those performed under point (i) or (ii);**

Or. en



24.5.2023

A9-0184/388

**Amendment 388**

**Axel Voss**

on behalf of the PPE Group

**Report**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**A9-0184/2023**

**Proposal for a directive**

**Article 3 – paragraph 1 – point p**

*Text proposed by the Commission*

*Amendment*

*(p) ‘board of directors’ means the administrative or supervisory body responsible for supervising the executive management of the company, or, if no such body exists, the person or persons performing equivalent functions;*

*deleted*

Or. en

24.5.2023

A9-0184/389

**Amendment 389**

**Axel Voss**

on behalf of the PPE Group

**Report**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**A9-0184/2023**

**Proposal for a directive**

**Article 15 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. Member States shall ensure that companies duly take into account the fulfilment of the obligations referred to in paragraphs 1 and 2 when setting variable remuneration, if variable remuneration is linked to the contribution of a director to the company's business strategy and long-term interests and sustainability.** *deleted*

Or. en

24.5.2023

A9-0184/390

**Amendment 390**

**Axel Voss**

on behalf of the PPE Group

**Report**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**A9-0184/2023**

**Proposal for a directive**

**Article 25 – title**

*Text proposed by the Commission*

*Amendment*

*Article 25*

*deleted*

*Directors' duty of care*

*1. Member States shall ensure that, when fulfilling their duty to act in the best interest of the company, directors of companies referred to in Article 2(1) take into account the consequences of their decisions for sustainability matters, including, where applicable, human rights, climate change and environmental consequences, including in the short, medium and long term.*

*2. Member States shall ensure that their laws, regulations and administrative provisions providing for a breach of directors' duties apply also to the provisions of this Article.*

Or. en

24.5.2023

A9-0184/391

**Amendment 391**

**Axel Voss**

on behalf of the PPE Group

**Report**

**Lara Wolters**

Corporate Sustainability Due Diligence

(COM(2022)0071 – C9-0050/2022 – 2022/0051(COD))

**A9-0184/2023**

**Proposal for a directive**

**Article 26 – title**

*Text proposed by the Commission*

*Amendment*

*Article 26*

*deleted*

*Setting up and overseeing due diligence*

*1. Member States shall ensure that directors of companies referred to in Article 2(1) are responsible for putting in place and overseeing the due diligence actions referred to in Article 4 and in particular the due diligence policy referred to in Article 5, with due consideration for relevant input from stakeholders and civil society organisations. The directors shall report to the board of directors in that respect.*

*2. Member States shall ensure that directors take steps to adapt the corporate strategy to take into account the actual and potential adverse impacts identified pursuant to Article 6 and any measures taken pursuant to Articles 7 to 9.*

Or. en