



TEXTS ADOPTED

P8_TA(2017)0090

Supply chain due diligence by importers of minerals and metals originating in conflict-affected and high-risk areas *I**

European Parliament legislative resolution of 16 March 2017 on the proposal for a regulation of the European Parliament and of the Council setting up a Union system for supply chain due diligence self-certification of responsible importers of tin, tantalum and tungsten, their ores, and gold originating in conflict-affected and high-risk areas (COM(2014)0111 – C7-0092/2014 – 2014/0059(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0111),
 - having regard to Article 294(2) and Article 207 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0092/2014),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the provisional agreement approved by the responsible committee under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 8 December 2016 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on International Trade and the opinion of the Committee on Development (A8-0141/2015),
1. Adopts its position at first reading hereinafter set out¹;
 2. Takes note of the Council statement and Commission statements annexed to this resolution;

¹ This position replaces the amendments adopted on 20 May 2015 (Texts adopted, P8_TA(2015)0204)

3. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

P8_TC1-COD(2014)0059

Position of the European Parliament adopted at first reading on 16 March 2017 with a view to the adoption of Regulation (EU) 2017/... of the European Parliament and of the Council laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas

(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2017/821.)

ANNEX TO THE LEGISLATIVE RESOLUTION

Statement by the Council on the Regulation of the European Parliament and of the Council laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating in conflict-affected and high risk areas

The Council agrees, on an exceptional basis, to delegate to the Commission the power to adopt delegated acts to amend the thresholds of Annex I as set out in Article 1(4) and (5), so as to ensure a timely adoption of the thresholds and to meet the objectives of this Regulation. Such agreement is without prejudice to future legislative proposals in the area of trade, as well as in the area of external relations as a whole.

Statement 1 by the Commission on the Regulation of the European Parliament and of the Council laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating in conflict-affected and high risk areas

The Commission will consider making additional legislative proposals targeted at EU companies with products containing tin, tantalum, and tungsten and gold in their supply chain should it conclude that the aggregate efforts of the EU market on the responsible global supply chain of minerals are insufficient to leverage responsible supply behaviour in producer countries, or should it assess that the buy-in of downstream operators that have in place supply chain due diligence systems in line with the OECD guidance is insufficient.

Statement 2 by the Commission on the Regulation of the European Parliament and of the Council laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating in conflict-affected and high risk areas

In the exercise of its empowerment to adopt delegated acts pursuant to Article 1(5), the Commission will take due account of the objectives of this Regulation, notably as set out in recitals (1), (7), (10) and (17).

In doing so, the Commission will, in particular, consider the specific risks associated with the operation of upstream gold supply chains in conflict affected and high-risk areas and taking into account the position of Union micro and small enterprises importing gold in the EU.

Statement 3 by the Commission on the Regulation of the European Parliament and of the Council laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating in conflict-affected and high risk areas

In response to the request of the European Parliament for specific guidelines, the Commission is willing to develop performance indicators specific to the responsible sourcing of conflict minerals. By means of such guidelines, relevant companies with more than 500 employees that are required to disclose non-financial information in conformity with Directive 2014/95/EU would be encouraged to disclose specific information in relation to products containing tin, tantalum, tungsten or gold.