



# OPINION

European Economic and Social Committee

## Decent work worldwide

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Decent work worldwide  
[COM(2022) 66 final]

**SOC/727**

Rapporteur: **Maria del Carmen BARRERA CHAMORRO**

[www.eesc.europa.eu](http://www.eesc.europa.eu)

**EN**

Referral	European Commission, 02/05/2022
Legal basis	Article 304 of the Treaty on the Functioning of the European Union
Section responsible	Employment, Social Affairs and Citizenship
Adopted in section	06/09/2022
Adopted at plenary	22/09/2022
Plenary session No	572
Outcome of vote (for/against/abstentions)	132/23/33

## 1. **Conclusions and recommendations**

- 1.1 The EESC underlines the importance of the Commission establishing a strategy to promote decent work not only within the EU but throughout the world. The EESC points out that, as well as the proposal for a directive on corporate sustainability due diligence, the Commission has published a communication on decent work worldwide for a just transition and a sustainable recovery, which reaffirms the EU's commitment to defending decent work more effectively through regulations, trade and investment policies, and an instrument banning products that are made through forced labour from entering the European Union, including those made outside the internal market. The EESC welcomes the fact that the new framework combines the ban with a system of enforcement guarantees based on international standards and due diligence and transparency obligations. However, it believes that the Commission should carry out an assessment on its economic, social and environmental impact, especially with regard to SMEs.
- 1.2 The EESC notes that, despite improvements, decent work is still not a reality for many people around the world. In these worrying cases the Commission notes that the COVID-19 pandemic, changes to the working world, technological advances, climate change, demographic changes and globalisation are subjecting businesses to serious challenges. These challenges can also have a negative impact on effectively enforcing labour and social protection standards for workers around the world. The EESC is convinced that the EU must continue to strengthen its role as a socially responsible leader in the world by using and developing all available instruments – including legislative instruments. Like the Commission, the EESC notes that consumers are increasingly demanding more **goods and services** produced and provided in an **inclusive**, sustainable and fair way, guaranteeing decent work both for the people who produce and provide them and for those working in the informal economy.
- 1.3 The EESC welcomes the fact that the Communication, adopted by the Commission to promote decent work in all sectors and fields of action, offers a global approach aimed at all workers in national markets, in non-EU countries and in global supply chains. The EESC emphasises that the EU must use all its policies, both internal and external (including trade policy), to promote and ensure decent work worldwide, placing this objective at the core of a sustainable and inclusive recovery and of the digital transition.
- 1.4 The EESC welcomes the fact that the EU is proposing a global package of actions and instruments that help promote the **four pillars** of the universal concept of decent work developed by the **ILO Declaration on Social Justice for a Fair Globalisation of 2008**, amended in 2022, and reflected in the SDGs: promoting employment, standards that guarantee labour rights (including eliminating forced and child labour), adequate social protection, and social dialogue and tripartism, with a cross-cutting gender equality objective.
- 1.5 The EESC urges the Commission to develop specific aspects of the principle of decent work that today have a particular social and economic value. As an example, the EESC highlights the fight against the risk of excluding the most vulnerable populations such as persons with disabilities in the labour market, occupational health and safety and the sustainable nature of employment in the green transition, as well as gender equality and non-discrimination (promoting a gender-equality perspective in the decent work goal). All of these are cross-cutting

objectives of the ILO and the 2030 Agenda. **In this context, the EESC welcomes the amendment of the ILO Declaration on Fundamental Principles and Rights at Work to include the right to a safe and healthy work environment.**

- 1.6 The EESC appreciates that the Commission Communication proposes both strengthening compliance with existing instruments and adopting future instruments, including regulatory instruments, **in the four pillars of the Decent Work Agenda**. In the first, that of EU policies with scope outside the EU, the EESC welcomes the EU's promotion of pioneering standards on a global scale in favour of social responsibility, transparency and the sustainability of business activity. The EESC also welcomes the fact that the European Parliament has adopted a Resolution on a new trade instrument to ban products made through forced labour<sup>1</sup>.
- 1.7 As part of its fair and sustainable economy package, the Commission also presented a proposal for a corporate sustainability due diligence directive (see opinion INT/973). The EESC considers this proposal an important step in promoting respect for human rights as an obligation for businesses and directors. However, the EESC believes that this proposal still presents many shortcomings (for example, limited individual application, as it only directly applies to large companies and only indirectly to SMEs; low employee representation) and unclear legal concepts (such as the "established" business relations requirement) that present a danger of being applied in different ways by national authorities and courts, creating legal uncertainties for both workers and companies. Consequently, the EESC calls for a balanced dialogue process between the Commission, the Parliament and the Council to correct these shortcomings and to improve the effectiveness of the regulatory instrument that is ultimately approved.
- 1.8 The EESC takes note of the difficulties that a number of companies are facing to monitor their entire value chain and ensure decent work. However, it considers that the way to achieve this should not be to reduce the guarantees for this purpose, because this weakens the effectiveness of the measure, creates legal uncertainties for companies and opens the door to unfair competition. Instead, the EESC is convinced that the appropriate way to address these global monitoring difficulties without generating the above-mentioned negative effects is to establish adequate support and collaboration instruments to guarantee the effectiveness of the proposed instruments. To this end and in addition to the public support and guidance instruments, channels for worker representative involvement throughout the value chain and in social dialogue, at various corresponding levels, can play a crucial role. The EESC is convinced that the improved effectiveness of due diligence governance throughout the value chain (facilitating the work of businesses) is a powerful reason to recognise and ensure the involvement of worker representatives.
- 1.9 With regard to the EU's bilateral and regional relations, the EESC particularly appreciates the EU's proposal to use trade policy as an instrument to incite third-country companies to comply with international labour standards, promoting decent work in all companies and countries – including neighbouring countries. In this regard, the EESC highlights the proposal to reform the EU Trade Preferences Regulation. The EESC emphasises that one of its objectives is to facilitate imports from countries whose companies respect **social, labour and environmental**

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<sup>1</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0245\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0245_EN.html)

requirements, including decent work. The EESC is convinced that this will improve the global competitiveness model, which is based not only on social justice but also on fair competition between all companies.

- 1.10 The EESC supports the EU's decision to actively engage in reforming the World Trade Organization (WTO) in order to integrate the social dimension into global economic growth in the light of the enormous challenges it is facing (the digital and green transitions, ageing, the prevention of future pandemics, etc.). Optimising growth, competitiveness and profits in terms of generating more wealth, employment and well-being means establishing just transition frameworks and policies, which include ensuring and promoting decent and sustainable work in the world, with a just transition based on social dialogue, as has been achieved in the past.
- 1.11 The EESC welcomes the proposal to include mechanisms to assess and monitor the degree of compliance with the Due Diligence Directive. However, notes with concern that these mechanisms do not provide for social dialogue with social partners. The EESC therefore calls on the Commission to clearly provide for such mechanisms in the proposed legislative text.
- 1.12 Additionally, the EESC calls for both EU support for a binding UN treaty on business and human rights, and an ILO convention on decent work in supply chains.

## **2. Introduction and background**

- 2.1 Ensuring and promoting decent work and social justice are at the core of the regulatory frameworks and policies agreed tripartitely by the ILO Decent Work Agenda, the ILO Declaration on Fundamental Principles and Rights at Work (adopted in 1998 and amended in 2022), and reiterated in the ILO Centenary Declaration for the Future of Work of 2019. Likewise, ensuring that decent work becomes the norm throughout the world is essential to the commitments adopted by the entire international community under the Sustainable Development Goals (SDGs) of the 2030 Agenda and especially, but not limited to, goal number 8. This goal promotes sustained, inclusive and sustainable economic growth that generates productive employment and decent work for all.
- 2.2 The EESC shares the Commission's view that this strategy of defending and promoting decent work worldwide is not only appropriate, but also necessary within the sustainable recovery model established and financed as part of NextGenerationEU. The figures provided by the Commission and the ILO have highlighted the fact that, despite improvements, decent work is still not a reality for many people around the world. According to ILO estimates, 4 billion people do not have access to social protection and 205 million are out of work. One in ten children worldwide (160 million) is engaged in child labour, and 25 million people are in a situation of forced labour. On average, almost one in four victims of forced labour is exploited outside their country of origin, with marked differences depending on their situation. Additionally, although health and safety at work is a fundamental aspect of decent work, according to the ILO more than five workers die every minute somewhere in the world due to an accident at work or due to occupational disease.

- 2.3 The EESC welcomes the fact that the EU has decided to provide a new impetus for an economic recovery model that reconciles wealth creation with job opportunities around the world, ensuring and promoting respect for human rights, decent work and environmental protection. The Joint Communication to the European Parliament and the Council on strengthening the EU's contribution to rules-based multilateralism noted the difficulties in making progress on these objectives in the wake of the pandemic, which affected people, companies and States alike. Consequently and to move matters forward, it proposed regulations, policies and investments that ensure and promote a digital, green and inclusive economic recovery.
- 2.4 Within this context, the Commission presented: (1) a Communication to the European Parliament, the Council and the European Economic and Social Committee on decent work worldwide for a global just transition and a sustainable recovery [COM(2022) 66 final of 23 February 2022], and (2) a proposal for a directive on corporate sustainability due diligence, the subject of a separate EESC opinion (INT 973), which is still in the pipelines.
- 2.5 The EESC has already stated that businesses are increasingly operating across borders. Multinational companies, with their global supply chains, are the main players, and small and medium-sized enterprises (SMEs) represent an increasing number of them. The EESC has been proposing policy and regulatory initiatives to improve sustainability, ensure respect for human rights and promote decent work in company value chains<sup>2</sup>.
- 2.6 The EESC recognises the importance of instruments that are based on corporate social responsibility (CSR) for achieving just development, as CSR incentivises positive behavioural changes towards environmental and social sustainability. However, the EESC also advised of a need for improvement. The EESC therefore calls on the EU and its Member States to ensure a more efficient implementation of existing international instruments for sustainable, just and resilient post-COVID-19 growth and recovery, with decent work at their core. The EESC has called for both EU support for a binding UN treaty on business and human rights<sup>3</sup>, and an ILO convention on decent work in supply chains. The EESC has also expressed its support for an effective and coherent mandatory EU framework on due diligence and corporate responsibility based on social dialogue with social partners and with a multi-stakeholder approach.
- 2.7 The EESC recognises the benefits of a harmonised EU regulatory framework on due diligence and sustainability. Among other advantages, it requires fair competition from all companies, including from non-EU countries operating in the EU, as they are subject to equal conditions and offer greater legal certainty. Such a harmonised regulatory framework will make it easier for companies and workers to transition to a climate-neutral economy under labour and social justice conditions for all global chains. The EESC therefore calls for a coherent and balanced EU regulatory framework on corporate due diligence that is efficient and proportioned.

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<sup>2</sup> EESC opinion on *Sustainable supply chains and decent work in international trade*, 2020/02161: <https://eur-lex.europa.eu/legal-content/ES/ALL/?uri=CELEX:52020AE2161>, [OJ C 429, 11.12.2020, p. 197](#)

<sup>3</sup> The EESC already addressed this issue in detail in opinion on *Binding UN treaty on business and human rights*., [OJ C 97, 24.3.2020, p. 9](#)

- 2.8 The EESC is fully aware of the urgent need to implement a post-pandemic financial recovery mechanism in all Member States and support all post-pandemic recovery processes globally, as well as to support the various transitions towards a green (carbon-neutral and circular) and innovative (digital) economy under comprehensive sustainability conditions and social and environmental conditions, through social dialogue with social partners and tripartite governance models. This is what the EESC hopes to see in the new communication and recommendation on the future of social dialogue.
- 2.9 The EESC takes note of the investigations carried out by international human rights observers, including the International Labour Organization, the Council of Europe and the International Trade Union Confederation ([Global rights index](#)), which confirm that the lack of human rights guarantees (including for individual and collective workers' rights), and environmental non-compliance continue to increase globally. The pandemic has only aggravated the situation in numerous countries around the world where precarious and abusive living conditions have worsened. Child labour and forced labour have also increased.
- 2.10 The EESC recognises that current scientific evidence shows that companies are increasingly incorporating management systems based on CSR and developing their business models in line with the UN 2030 Agenda and the SDGs. However, like the Commission, the EESC believes there is room for improvement. Furthermore, progress has not only been slower but also very uneven. The EESC is convinced that the move towards harmonised EU regulatory frameworks, complemented with technical support and practical guidance from the Commission, is positive, in particular for SMEs. This way commitments will be more effective and will benefit companies operating in the EU market, affording them greater legal certainty and a level playing field.

### 3. **Main actions proposed by the Commission to promote decent work**

- 3.1 Monitoring progress towards decent work has been a long-standing concern for the ILO, who has been promoting indicators to measure this real progress. The EESC considers this to be important because the Commission already issued a communication on this some years ago<sup>4</sup>. The EESC urges the Commission to better implement an ambitious and innovative agenda and to effectively ensure that this progress links competitiveness with social justice. The EESC also stresses that decent work is not only a matter of employment and social protection, but also of governance, which must include social dialogue with social partners at all levels of global chains and at all stages of production processes.
- 3.2 The EESC welcomes the fact that the EU is continuing to move forward with its own agenda building a working community that is conducive to actually achieving all the elements that make up the ILO's universal decent work concept, and also welcomes the fact that it is more than just a formal declaration. This is consistent with the inclusion of all the components of international standards on decent work in the ILO Declaration on Fundamental Principles and Rights at Work of 1998<sup>5</sup>.

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<sup>4</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52006DC0249>

<sup>5</sup> [www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62\\_LIST\\_ENTRIE\\_ID:2453911:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453911:NO).

- 3.3 The EESC finds it **unacceptable** that decent work is still a far-off reality for hundreds of millions of people around the world, making it difficult for the international community to achieve the SDGs set out in the UN's 2030 Agenda. While the SDGs are embedded in the decent work concept, the recent crises, together with the colossal economic and social challenges of our time, threaten the concept of decent work for all on a daily basis (SDG 8 **and others related**).
- 3.4 Eliminating child and forced labour is at the heart of these efforts. The number of minors in child labour situations increased by more than eight million between 2016 and 2020, reversing the previous downward trend. The EESC welcomes the Commission's proposal to develop new and more effective legal and non-legal measures in the zero tolerance for child labour policy, including a ban on products made or distributed through forced or child labour from entering the EU market. In this regard, the EESC considers it necessary to complement the new framework with an economic, social and environmental impact assessment of various legislative and non-legislative measures. The EESC also calls for stepping up the EU's new trade policy as one of the drivers of economic growth, in a way that fulfils the commitment to respecting international human rights, its instruments and the fight against child and forced labour throughout the supply chain. In this way, the new measures will be harmonised with a model of economic recovery and global and inclusive competitiveness.
- 3.5 The EESC welcomes both the proposal for a directive on mandatory due diligence, and new legal safeguards for a more efficient fight against forced and child labour in the whole global value chain. The EESC agrees with the Commission's view that the authorities alone are not able to win the battle against forced labour. The EESC also welcomes the fact that the European Parliament has adopted a Resolution on a new trade instrument to ban products made through forced labour<sup>6</sup>. Many private companies are already committed to these objectives, but they must go further, in line with the proposal for a directive on corporate sustainability reporting, which should promote the efficiency of this coherent EU framework and ensure it is proportionate in order to improve competitiveness.
- 3.6 The EESC welcomes the fact that the European Commission is bolstering use of a **coherent EU legal** framework and the socially responsible public procurement policy as powerful tools for fighting for decent work and against forced and child labour. However, the EESC believes that the regulatory framework needs to be more effectively implemented in order to make progress in this direction, in a way that would increase the actual effectiveness of the social and environmental clauses, both in internal public procurement and in fair trade.
- 3.7 The EESC appreciates the proposal for a new EU regulation on the Generalised Scheme of Preferences (GSP regulation) to promote sustainable development in low-income countries for 2024-2034. The EESC welcomes the fact that the new GSP increases the EU's opportunities to use trade preferences to create economic opportunities and promote sustainable development under the decent work standard. The incorporation of governance agreements, such as that on tripartite consultation, will improve the role of social dialogue with the social partners.

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<sup>6</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0245\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0245_EN.html)

3.8 The EESC takes note of the commitment, within the scope of action 2, to treat decent work as a priority of the new NDICI – Global Europe<sup>7</sup>. This programme on human rights and democracy provides for specific actions to promote decent work for all, particularly at national and regional levels, including the fight against forced and child labour. The EESC welcomes the fact that the new NDICI–GE actions include promoting social dialogue and affording social partners greater autonomy, as well as communication with partner countries which helps to ratify and effectively implement the updated ILO conventions, in particular the fundamental and governance conventions.

#### 4. **General comments**

4.1 The EESC shares the ILO's concern that the companies and workers most affected by the series of crises that started in 2008 benefit less from improved conditions, both economic and technological, as recovery efforts favour certain economic and labour market sectors, while others are left behind.

4.2 The EESC reiterates that, in order to respect human dignity, decent work worldwide needs to be protected, and for this reason considers this proposal an important step towards respecting and promoting human rights in business, and hopes that this translates to a significant boost to keep moving forward.

4.3 However, the EESC believes that there are still many shortcomings and unclear legal concepts that are open to interpretation, which are in danger of being applied in different ways by national authorities and courts, and which create legal uncertainties for both workers and companies. For example, the use of vague concepts such as "established business relationship" or mere "contractual assurances of compliance with the codes of conduct" jeopardises the effectiveness of the directive. The EESC proposes that the Commission vigorously clarify these legal concepts, including the shortcomings in the envisaged civil liability regime on one hand, and on the other, that the Commission include ways of representing company trade unions at the appropriate level to make compliance more effective.

4.4 The EESC takes note of the stakeholder-involvement approach that forms the basis for the whole proposal. Effective trade union and worker representative involvement is a success factor. However, the Committee regrets that this is not sufficiently reflected in the proposal. The EESC believes that this kind of protection gap, due to its collective impact, is detrimental both to workers and companies. In this context, the existing involvement of organised workers' representatives, for example based on the work of European Works Councils (EWCs) or on IFAs (International Framework Agreements), should offer the new regulatory framework adequate guidance and support.

4.5 The EESC welcomes the comprehensive approach to decent work adopted by the Commission Communication. The approach takes account of consumers' desire to favour models of production and distribution of goods and services that are more respectful of social and

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<sup>7</sup> <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32021R0947>

environmental sustainability conditions. The Commission has found that the majority of consumers prefer modes of consumption, including in electronic commerce, that give preference to products that respect decent work and environmental balance. Consequently, the EESC calls for this socially responsible role of consumers to be promoted through better information and training, in order to improve the effectiveness of the measures proposed by the Commission to guarantee and promote decent work in the world.

- 4.6 The EESC appreciates that the European Commission has accepted the European Parliament's request to present a proposal for a directive on corporate sustainability due diligence (INT/973). The EESC notes that the Commission's proposal restricts the number of companies included in the proposal for a directive, thereby limiting the scope of the European Parliament's request. The EESC calls for a process of dialogue between the three European institutions to reach agreement on this coherent EU regulatory framework, including appropriately broadening the scope of the future directive, which will improve its effectiveness, including in terms of fair competition between all companies, and to solve some of the regulatory shortcomings presented by the proposed text in order to give companies greater legal certainty.

## 5. Specific comments

- 5.1 The EESC takes note of the Commission's proposed efforts in the EU to use each and every instrument, policy and resource within its competence (public procurement, trade agreements, development policy, investment policy, funds, etc.) to promote decent work worldwide. In particular, the EESC calls for better developing and implementing the toolbox to ensure and promote decent working conditions **and to ratify international labour standards**, including the reforms needed to support economic recovery, the competitiveness of European businesses, and their ability to create decent jobs worldwide.
- 5.2 The EESC notes that the proposal for a directive on corporate sustainability due diligence highly values CSR techniques, such as unilateral codes of conduct. These instruments do not take into account the workers' position. The EESC considers it appropriate to also include collective governance techniques to promote useful channels for worker representative involvement in creating and monitoring decent work commitments throughout the value chain. As exemplified in point 4.4, the international framework agreements (IFAs) should offer adequate guidance and support.
- 5.3 The EESC agrees with the Commission on the need for more and better measures to effectively combat forced labour. To this end, the EESC supports the Commission implementing, as soon as possible, a ban on products (both domestic and imported) that have been made through forced labour, including child labour, being placed on the EU market. At the same time, the EESC recommends an analysis of the various measures and a full assessment of the economic, social and environmental impacts of the different scenarios. This ban needs to be consistent with both fair trade conditions and the EU's commitments to the common trade policy and Europe's global competitiveness.
- 5.4 The EESC agrees with the Commission that additional measures are necessary to effectively combat child labour, given the great complexity of the factors that cause it (including financial

difficulties, the lack of better education opportunities, local customs on the role of children in society, etc.). At the same time, the EESC calls for the consistent application and enforcement of existing international tools. Hence, in order to eradicate child labour, there is a need for a comprehensive (holistic) sustainable economic development approach, based on the decent work standard: resources for quality education, income and adequate social protection for all.

- 5.5 The EESC also attaches particular importance to revising the EU Directive on preventing and combating trafficking in human beings<sup>8</sup>, which requires Member States to prohibit it by law, with the added aim of protecting against forced labour (which disproportionately affects women and girls – and in particular immigrants – among other vulnerable populations). The EESC has already welcomed the comprehensive and integrated approach to the protection of victims of human trafficking<sup>9</sup>.
- 5.6 The EESC notes the relevance of the proposal for a regulation of the European Parliament and of the Council on European green bonds [COM/2021/391 final], aiming to better exploit the potential of the single market and the Capital Markets Union to contribute to meeting the Union's climate and environmental objectives in accordance with Article 2(1)c of the 2016 Paris Agreement on climate change and the European Green Deal. The EESC from the start has argued that the Green Deal can and will only be successful if it is also a social deal calling for the concept of "social investment" to be defined more precisely in order to offer greater legal certainty to markets and companies<sup>10</sup>.
- 5.7 The EESC supports the Commission's work towards a new EU regulation on the Generalised System of Preferences (GSP regulation) for 2024-2034. The EESC notes that the Commission has increased its support for promoting compliance with international labour standards in GSP beneficiary countries by adding two new conventions on labour rights (ILO Convention 81 on Labour Inspection and Convention 144 on Tripartite Consultation) and recognises that the export of goods made through child and forced labour is a cause for withdrawing trade preferences. **The EESC recommends that the draft GSP regulation for 2024-2034 include the 1998 ILO Declaration and its 2022 amendment.**
- 5.8 In addition, the EESC welcomes the Commission's intention to support WTO reform in order to continue contributing to sustainable development, integrate the social dimension of globalisation and foster agreements in the WTO that promote decent work and social justice. The EESC hopes that the proper balance between social objectives and those of improving world economic competitiveness will be achieved in the open negotiation processes.
- 5.9 The EESC values the proposal for the inclusion of mechanisms to assess and monitor the degree of compliance with the Due Diligence Directive, including a European Network of Supervisory Authorities to assist in its implementation. However, the EESC notes with concern that, firstly,

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<sup>8</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.](#)

<sup>9</sup> [OJ C 51, 17.2.2011, p. 50](#)

<sup>10</sup> The EESC is in the process of drafting an own-initiative opinion on the subject: ECO/581 *Social taxonomy – Challenges and chances.*

the mandate (jurisdiction) of this supervisory body is not clearly defined and, secondly, that these mechanisms do not provide for social dialogue with the social partners. The EESC therefore calls on the Commission to clearly provide for such mechanisms in the proposed legislative text.

Brussels, 22 September 2022

Christa Schweng  
The president of the European Economic and Social Committee

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**N.B:** Appendix overleaf.

**APPENDIX to the OPINION**  
of the  
European Economic and Social Committee

The following amendments, which received at least a quarter of the votes cast, were rejected during the discussion (Rule 43(2) of the Rules of Procedure):

### **AMENDMENT 3**

**SOC/727**

**Decent work worldwide**

**Point 2.6**

**Tabled by:**

BLIJLEVENS René

GERSTEIN Antje Sabine

KONTKANEN Mira-Maria

MINCHEVA Mariya

MURESAN Marinela Dănuț

POTTIER Jean-Michel

**Amend as follows:**

<i>Section opinion</i>	<i>Amendment</i>
<p>The EESC recognises the importance of instruments that are based on corporate social responsibility (CSR) for achieving just development, as CSR incentivises positive behavioural changes towards environmental and social sustainability. However, the EESC also advised of a need for improvement. The EESC therefore calls on the EU and its Member States to ensure a more efficient implementation of existing international instruments for sustainable, just and resilient post-COVID-19 growth and recovery, with decent work at their core. The EESC has called for both EU support for a binding UN treaty on business and human rights[1], and <b>an ILO convention</b> on decent work in supply chains. The EESC has also expressed its support for an effective and coherent mandatory EU framework on due diligence and corporate responsibility based on social dialogue with social partners and with a multi-stakeholder approach.</p> <p>[1] The EESC already addressed this issue in detail in opinion REX/518 Binding UN treaty on business and human rights: <a href="https://webapi2016.EESC.europa.eu/v1/documents/esc-2019-01278-00-01-ac-tra-en.docx/content">https://webapi2016.EESC.europa.eu/v1/documents/esc-2019-01278-00-01-ac-tra-en.docx/content</a></p>	<p>The EESC recognises the importance of instruments that are based on corporate social responsibility (CSR) for achieving just development, as CSR incentivises positive behavioural changes towards environmental and social sustainability. However, the EESC also advised of a need for improvement. The EESC therefore calls on the EU and its Member States to ensure a more efficient implementation of existing international instruments for sustainable, just and resilient post-COVID-19 growth and recovery, with decent work at their core. The EESC has called for both EU support for a binding UN treaty on business and human rights[1], and <b>for ILO exploring the development and future adoption of any relevant and suitable instruments[2]</b> on decent work in supply chains. The EESC has also expressed its support for an effective and coherent mandatory EU framework on due diligence and corporate responsibility based on social dialogue with social partners and with a multi-stakeholder approach.</p> <p>[1] The EESC already addressed this issue in detail in opinion REX/518 Binding UN treaty on business and human rights: <a href="https://webapi2016.EESC.europa.eu/v1/documents/esc-2019-01278-00-01-ac-tra-en.docx/content">https://webapi2016.EESC.europa.eu/v1/documents/esc-2019-01278-00-01-ac-tra-en.docx/content</a></p> <p><b>[2] REX/462 Decent work in global supply chains, point 1.9 <a href="https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/decent-work-global-supply-chains-own-initiative-opinion">https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/decent-work-global-supply-chains-own-initiative-opinion</a></b></p>

<b>Outcome of the vote:</b>
In favour: 65
Against: 97
Abstention: 13

## AMENDMENT 4

SOC/727

Decent work worldwide

Point 2.7

Amend as follows:

**Tabled by:**

BLIJLEVENS René  
GERSTEIN Antje Sabine  
KONTKANEN Mira-Maria  
MINCHEVA Mariya  
MURESAN Marinela Dănuț  
POTTIER Jean-Michel

<i>Section opinion</i>	<i>Amendment</i>
<p>The EESC recognises the benefits of a harmonised EU regulatory framework on due diligence and sustainability. Among other advantages, it requires fair competition from all companies, including from non-EU countries operating in the EU, as they are subject to equal conditions and offer greater legal certainty. Such a harmonised regulatory framework will make it easier for companies and workers to transition to a climate-neutral economy under labour and social justice conditions for all global chains. The EESC therefore calls for a coherent and balanced EU regulatory framework on corporate due diligence that is efficient and proportioned.</p>	<p>The EESC recognises the benefits of a harmonised EU regulatory framework on due diligence and sustainability. Among other advantages, it requires fair competition from all companies <i>within its scope of application</i>, including from non-EU countries operating in the EU, as they are subject to equal conditions and offer greater legal certainty. Such a harmonised regulatory framework will make it easier for companies and workers to transition to a climate-neutral economy under labour and social justice conditions for all global chains. The EESC therefore calls for a coherent and balanced EU regulatory framework on corporate due diligence that is efficient and proportioned.</p>

<b>Outcome of the vote:</b>
In favour: 73
Against: 100
Abstention: 14

## AMENDMENT 5

SOC/727

Decent work worldwide

Point 4.6

Amend as follows:

**Tabled by:**

BLIJLEVENS René  
GERSTEIN Antje Sabine  
KONTKANEN Mira-Maria  
MINCHEVA Mariya  
MURESAN Marinela Dănuț  
POTTIER Jean-Michel

<i>Section opinion</i>	<i>Amendment</i>
<p>The EESC appreciates that the European Commission has accepted the European Parliament's request to present a proposal for a directive on corporate sustainability due diligence (INT/973). The EESC notes that the Commission's proposal restricts the number of companies included in the proposal for a directive, thereby limiting the scope of the European Parliament's request. The EESC calls for a process of dialogue between the three European institutions to reach agreement on this coherent EU regulatory framework, including <i>appropriately broadening the scope of the future directive</i>, which will improve its effectiveness, including in terms of fair competition between all companies, and to solve some of the regulatory shortcomings presented by the proposed text in order to give companies greater legal certainty.</p>	<p>The EESC appreciates that the European Commission has accepted the European Parliament's request to present a proposal for a directive on corporate sustainability due diligence (INT/973). The EESC notes that the Commission's proposal restricts the number of companies included in the proposal for a directive, thereby limiting the scope of the European Parliament's request. The EESC calls for a process of dialogue between the three European institutions to reach agreement on this coherent EU regulatory framework, including <i>policymakers keeping the challenging MSMEs' position in mind and ensure that support tools are ready at the European and national levels once the due diligence legislation enters into force</i>[1], which will improve its effectiveness, including in terms of fair competition between all companies <i>within the scope of the future Directive</i>, and to solve some of the regulatory shortcomings presented by the proposed text in order to give companies greater legal certainty.</p> <p><i>[1] INT/973 Sustainable corporate governance (<a href="https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/sustainable-corporate-governance">https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/sustainable-corporate-governance</a>), point 1.6</i></p>

<b>Outcome of the vote:</b>
In favour: 68
Against: 97
Abstention: 15

## **AMENDMENT 1**

**SOC/727**

**Decent work worldwide**

**Point 1.7**

**Amend as follows:**

**Tabled by:**

BLIJLEVENS René

GERSTEIN Antje Sabine

KONTKANEN Mira-Maria

MINCHEVA Mariya

MURESAN Marinela Dănuț

POTTIER Jean-Michel

<i>Section opinion</i>	<i>Amendment</i>
<p>As part of its fair and sustainable economy package, the Commission also presented a proposal for a corporate sustainability due diligence directive (see</p>	<p>As part of its fair and sustainable economy package, the Commission also presented a proposal for a corporate sustainability due diligence directive (see</p>

<p>opinion INT/973). The EESC considers this proposal an important step in promoting respect for human rights as an obligation for businesses and directors. However, the EESC believes that this proposal still presents many shortcomings (for example, <i>limited individual application</i>, as it <i>only directly applies to large companies and only</i> indirectly to <i>SMEs</i>; low employee representation) and unclear legal concepts (such as the "established" business relations requirement) that present a danger of being applied in different ways by national authorities and courts, creating legal uncertainties for both workers and companies. Consequently, the EESC calls for a balanced dialogue process between the Commission, the Parliament and the Council to correct these shortcomings and to improve the effectiveness of the regulatory instrument that is ultimately approved.</p>	<p>opinion INT/973). The EESC considers this proposal an important step in promoting respect for human rights as an obligation for businesses and directors. However, the EESC believes that this proposal still presents many shortcomings (for example, it <i>is to be feared that the provisions of the directive, which does not explicitly include MSMEs, will indirectly be extended de facto</i>[1]; low employee representation) and unclear legal concepts (such as the "established" business relations requirement) that present a danger of being applied in different ways by national authorities and courts, creating legal uncertainties for both workers and companies. Consequently, the EESC calls for a balanced dialogue process between the Commission, the Parliament and the Council to correct these shortcomings and to improve the effectiveness of the regulatory instrument that is ultimately approved.</p> <p><i>[1] INT/973 Sustainable corporate governance (<a href="https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/sustainable-corporate-governance">https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/sustainable-corporate-governance</a>), point 4.9.</i></p>
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<b>Outcome of the vote:</b>
In favour: 72
Against: 107
Abstention: 12

## AMENDMENT 2

SOC/727

**Decent work worldwide**

**Point 1.12**

**Amend as follows:**

**Tabled by:**

BLIJLEVENS René

GERSTEIN Antje Sabine

KONTKANEN Mira-Maria

MINCHEVA Mariya

MURESAN Marinela Dănuț

POTTIER Jean-Michel

<i>Section opinion</i>	<i>Amendment</i>
<p>Additionally, the EESC calls for both EU support for a binding UN treaty on business and human rights, and <i>an ILO convention</i> on decent work in supply chains.</p>	<p>Additionally, the EESC calls for both EU support for a binding UN treaty on business and human rights, and <i>for ILO exploring the development and future adoption of any relevant and suitable instruments</i>[1] on decent work in supply chains.</p> <p><i>[1] REX/462 Decent work in global supply chains, point 1.9 <a 113="" 560="" 936="" 953"="" data-label="Page-Footer" href="https://www.eesc.europa.eu/en/our-work/opinions-information-&lt;/a&gt;&lt;/i&gt;&lt;/p&gt; &lt;/td&gt; &lt;/tr&gt; &lt;/tbody&gt; &lt;/table&gt; &lt;/div&gt; &lt;div data-bbox="> <p>SOC/727 – EESC-2022-01438-00-01-AC-TRA (EN) 14/15</p> </a></i></p>

	<i>reports/opinions/decent-work-global- supply - chains -own-initiative-opinion.</i>
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<b>Outcome of the vote: Did not vote on this AMP as it is exactly the same as 2.6 above.</b>
In favour: N/A
Against: N/A
Abstention: N/A