

**Draft report: *The effects of climate change on human rights and the role of environmental defenders on this matter* (2020/2134(INI))**

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**COMPROMISE AMENDMENTS**  
**Version 01/03/2021**

NB: (S&D, M. Arena + ) refers to Maria Arena, Dietmar Köster, Raphaël Glucksmann, Isabel Santos, Bettina Vollath, Nacho Sánchez Amor, Giuliano Pisapia.

**COMPROMISE 1**

Paragraph 1

Covers AM 79 (Greens, H. Neumann), AM 80 (GUE, M. Matias), AM 81 (EPP, G. Hölvényi), AM 83 (S&D, M. Arena +), AM 84 (EPP, D. Lega), AM 109 (EPP, J. Ochojska)

Falls: AM 82 (ECR, K. Karski), AM 93 (ECR, H. Tertsch)

1. Stresses that *the enjoyment, protection and promotion of human rights rooted in human dignity* (AM 81 EPP), and a healthy *and sustainable* (AM 83 S&D) planet are ~~mutually dependent~~ *interdependent* (AM 80 GUE, AM 84 EPP, Rapporteur); calls ~~for~~ *on* (AM 83 S&D) the EU and its Member States to act as a credible and reliable partner on the global stage through the adoption, strengthening and implementation of legislation aligned with a comprehensive human rights-based approach to climate action (HRBA), to guide *and ensure that* policies and measures of climate change mitigation and adaptation ~~while protecting the rights of all~~ *are adequate, sufficiently ambitious, non-discriminatory and compliant with fundamental human rights obligations; notes that principles and standards derived from international human rights law should guide all policies and programming related to climate change, and at all stages of the process* (AM 79 Greens); *call on the EU and its Member States to encourage non-EU States* (AM 80 GUE), *companies and local government authorities* (AM 109 EPP) *to implement and adopt solutions and measures that will contribute to the protection of the environment and address the consequences of climate change* (AM 80 GUE);

**COMPROMISE 2**

Paragraph 1 a (new)

Covers AM 85 (Greens, H. Neumann) AM 88 (Renew, U. Paet), AM 113 (Renew, U. Paet) and AM 115 (Renew, U. Paet)

Falls: AM 87 (ECR, H. Tertsch)

*1a. Calls on the Union and its Member States to strengthen the linkage between human rights and the environment throughout their external action as well as to assist and support international, regional and local human rights mechanisms to address*

*environmental challenges, notably (AM 85 Greens) the impact of (Rapporteur) climate change (AM 85 Greens) on the full enjoyment of human rights (AM Rapporteur); calls on the Commission to ensure the integration of the issues of climate change and human rights within all relevant EU policies and to ensure the coherence of these policies (AMs 88 RE + 115 RE); notes the importance to support activities that raise awareness of human rights impacts caused by climate change, environmental degradation, and biodiversity loss (AM, 85 Greens, AM 113 RE); calls also on the Union to support and strengthen collaboration with third countries to integrate a human rights based approach in environmental laws and policies (AM 85 Greens);*

### COMPROMISE 3

Paragraph 1 b (new)

Covers AM 61 (N/A F. Castaldo), AM 89 (EPP J. Ochojska), AM 128 (N/A F. Castaldo)

*1b. Stresses that water scarcity as one of the consequences of climate change is affecting many people around the world (AM 89 EPP); calls EU and its Member States to address water scarcity as a key priority of its legislative and policy agenda; notes that the mismanagement of land and natural resources is contributing to new conflicts and obstructing the peaceful resolution of existing ones (AM 61 and 128 Castaldo); recalls that increasing competition over diminishing resources, is on the rise and it is further aggravated by environmental degradation, population growth and climate change (AM 128 Castaldo);*

### COMPROMISE 4

Paragraph 2

Covers AM 91 (EPP G. Hölvényi) AM 92 (GUE, M. Matias)

Falls: AM 90 (ID)

2. Recalls the **legal** obligation to respect ~~the legal recognition of~~ the right to a safe, clean, healthy and sustainable environment *that is among others a condition for sustainable economic activities which contribute to the well-being and the livelihoods of individuals and communities* (AM 91 EPP); recalls that international human rights law provides legal remedies to redress the damage caused by climate change *and to individuals, indigenous communities, and environmental human rights defenders*, implement measures to combat climate change and hold states, ~~and~~ businesses *and individuals* accountable for their activities which impact climate change and human rights; in this respect, calls on the EU to make the fight against impunity one of its key priorities *by creating instruments which allows for a full, effective and sustained implementation of human rights and environmental laws and its enforcement* (AM 92 GUE);

### COMPROMISE 5

Paragraph 4

Covers AM 95 (Greens, H. Neumann) and AM 96 (GUE, M. Matias)  
Falls: AM 94 (EPP, G. Hölvényi)

4. Supports the mandate of the UN Special Rapporteur on Human Rights and the Environment to push for global recognition ~~that every human being has~~ *of the right to live in a safe, clean, healthy and sustainable environment as a human right* (AM 96 GUE); *calls on the Union and the Member States to support, at the next UN General Assembly, the global recognition of this right* (AM 95 Greens); considers that this recognition should serve as a catalyst for stronger environmental policies and improved law enforcement, public participation in environmental decision-making, access to information and justice and better outcomes for people and planet;

## COMPROMISE 6

*(This COMP should be read in conjunction with the amended citation 14)*

### Paragraph 5

Covers AM 97 (ECR, K Karski), AM 98 (EPP, G. Hölvéyi) AM 99 (EPP D. Lega)

5. Urges the Commission to ~~establish a horizontal monitoring programme on~~ *continue to monitor the situation of* (AM 97 ECR and AM 99 EPP) human rights and climate change ~~in order~~ *and* to assess the progress in integrating and mainstreaming human rights into all aspects of climate action at domestic and international level in close cooperation with the UN Human Rights Council / UN High Commissioner on Human Rights; calls for the Union, in this regard, *to take action* (AM 98 EPP) to introduce the right to a safe and healthy environment in the Charter of Fundamental Rights of the EU *and to fully comply with Article 37* (AM 98 EPP); *stresses in this regard the importance of close cooperation with States and all relevant institutional actors involved in ensuring the proper implementation of human rights and environmental provisions* (AM 97 ECR);

### Citation 14

- having regard to the Charter of Fundamental Rights of the European Union *and its article 37 of which commits the EU to integrate a high level of environmental protection and the improvement of the quality of the environment into its policies,*

## COMPROMISE 7

### Paragraph 7

Covers AM 103 (EPP, D. Lega), AM 104 (Greens, H. Neumann)  
Falls: AM 100 (ID, Rivière), AM 101 (PPE, G. Hölvéyi), AM 102 (ECR, Karski), AM 105 (GUE, M. Matias)

7. Encourages the EU and the Member States to take a bold initiative *with the active support of the EU Special Representative for Human Rights* (AM 104 Greens) *to fight the impunity of environmental crimes at global level* (AM 103 EPP) *and to pave the way* within the International Criminal Court (ICC) towards new negotiations between the

parties with a view to recognising ‘ecocide’ as an international crime under the Rome Statute; ***calls on the Commission and the EU VP/HR to establish a programme to build the capacity of national jurisdictions of Member States in these fields*** (AM 104 Greens);

## COMPROMISE 8

Paragraph 8

Covers AM 107 (Greens, H. Neumann), AM 108 (ECR, K. Karski) and AM 113 (RE, U. Paet)  
Falls: AM 106 (ID)

8. Calls on the Union and its Member States to ~~deeply~~ ***regularly*** assess how the external dimension of the European Green Deal can best contribute to a holistic and human rights-based approach ***with regards*** (AM 108 ECR) to climate action and ~~to stopping~~ (AM 108 ECR) biodiversity loss; calls for the EU to leverage the broad range of external policies, tools and political and financial instruments at its disposal to implement ~~it~~ ***the European Green Deal***; calls for the EU to ~~revise~~ ***review*** its climate finance mechanisms ***and propose to amend them where appropriate*** (AM 108 ECR) in order to ensure full respect for human rights and to establish strong safeguards for this purpose; ***calls for the establishment of climate focal points within the relevant services of the Commission and the European External Action Service, which would inter alia ensure the climate-proofing of all EU external dealings*** (AM 107 Greens); ***calls for transparent and informative communication on these issues in EU development cooperation programmes with third countries*** (AM 113 RE);

## COMPROMISE 9

Paragraph 9

Covers AM 110 (Greens, H. Neumann), AM 112 (S&D, M. Arena +) AM 129 (Greens, H. Neumann)  
Falls: AM 111 (ECR, K.Karski)

9. Calls on the Commission to increase financial and technical assistance and capacity building activities to support third countries with the integration of human rights in their national climate actions and programmes ***and with the compliance with international environmental regulations*** (AM 129 Greens) ***to ensure that climate change objectives does not interfere with the exercise of human rights in those countries*** (AM 112 S&D); ***notes the interinstitutional agreement reached on the NDICI instrument that 30% of the funding will support climate and environment objectives***; ~~recalls its position that at least 45 % of the funding from the proposed 2021-2027 Neighbourhood, Development and International Cooperation Instrument (NDICI) should support climate and environment objectives~~; ***insists that all activities of European Financial Institutions, notably the European Investment Bank and the European Bank for Reconstruction and Development, in third countries, are consistent with the EU’s climate commitments and follow a HRBA in their external dealings***; ***calls for the reinforcement and deepening of their respective complaint mechanisms<sup>1</sup> for individual***

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<sup>1</sup> Independent Project Accountability Mechanism from the European Bank for Reconstruction and Development and the Complaints Mechanism of the European Investment Bank Group.

*or groups whose rights would have been violated by such activities and could be eligible for remedies* (AM 110 Greens, Rapporteur);

## COMPROMISE 10

### Paragraph 11

Covers AM 118 1st part (EPP, G. Hölvényi), AM 120 (S&D, M. Arena+), AM 124 (EPP, J. Ochojska), AM 123 (Greens, H. Neumann)

Falls: AM 116 (ECR, K.Karski), 117 (GUE, M.Matias), AM 119 (EPP, D. Lega)

11. Acknowledges the impact of the nexus of climate change, environmental degradation and *natural* (AM 120 S&D) disasters ~~on~~ *as drivers for* (AM 118 EPP) migration and *climate-induced* displacement and regrets the lack of human rights ~~safeguards and specific protections for environmentally displaced people~~ *protection* at international level *for individuals suffering from the negative impact thereof; considers that such displacement should be addressed at international level* (AM 118 EPP); calls on the Commission and the Member States to cooperate in the development of an international ~~mechanism~~ *framework* for addressing climate-induced displacement and migration *both* at international forums and ~~to address climate-induced displacement in related fields of~~ *in* the EU's external action; *encourages Commission and EU Member States to work together on increasing its support to resilience measures in regions prone to the detrimental effects of climate change* (AM 118 EPP 1st part) *and support people who are displaced due to the climate change and are no longer able to live in their places of residence* (AM 124, EPP); *underlines that the UN Human Rights Committee has ruled that States must take into account the human rights impacts caused by the climate crisis in the country of origin when considering deportation of asylum seekers* (AM 123 Greens); *welcomes the inclusion of climate-induced migration and displacement in the Cancun Adaptation Framework* (AM 120 S&D); ~~insists on gender-based participation in fulfilling the rights of all individuals, notably those most vulnerable to the negative impacts of climate change such women, children, afro-descendent and indigenous communities, individuals subjected to discrimination, and persons often living in poor and remote areas;~~

## COMPROMISE 11

### Paragraph 11 a (new)

Covers AM 121 (GUE, M. Matias), AM 122 (S&D, M. Arena+), AM 118 2nd part (EPP, G. Hölvényi)

*11a. Insists on fulfilling the rights of all individuals* (AM 121 GUE) *without any discrimination based on the place they live in or social condition* (AM 118 2nd part EPP, AM 122 S&D in the meaning), *notably those most vulnerable to the negative impacts of climate change* (AM 121 GUE); *stresses the importance to ensure and facilitate public participation of such vulnerable groups in decision that affect their livelihood* (AM 122 S&D);

## COMPROMISE 12

### Paragraph 13

Covers AM 133 (Greens, H. Neumann) and AM 134 (EPP, D. Lega)

Falls: AM 132 (ECR, Karski)

13. Stresses that the global COVID-19 pandemic perfectly illustrates the impact of environmental degradation in creating the conditions for an increase of zoonosis with severe health, social, economic and political consequences; calls on the Commission and EU Member States to commit to ~~putting~~ **include** (AM 134 EPP) environmental rights, and those who protect them, ~~at the centre of~~ **in** any response to the COVID-19 pandemic; ***encourages Member States and other stakeholders to take account of the Commission's Global Monitor of COVID-19's impact on democracy and human rights*** (AM 133 Greens);

## COMPROMISE 13

### Paragraph 17

Covers AM 143 (GUE, M. Matias), AM 144 (EPP, J. Ochojska), AM 146 (RE, U. Paet), AM 178 (Greens, H. Neumann)

17. Recalls the obligation on states to protect environmental defenders ***and their families against*** (AM 144 EPP) ~~from~~ harassment, intimidation and violence, as enshrined in human rights law, as well as to guarantee their fundamental freedoms, and their obligation to recognise the rights of indigenous ~~populations~~ ***peoples*** and local communities, and to acknowledge their ~~contribution~~ ***contributions, experiences and knowledge*** (AM 143 GUE, AM 146 RE) to the fight against biodiversity loss and environmental degradation; ***underlines their specific role and expertise in land management and preservation*** (AM 143 GUE) ***and calls for increased cooperation with and inclusion of indigenous peoples as well as to strive for the strengthening of their democratic participation in relevant decision making process*** (AM 146 RE) ***including the ones on international climate diplomacy; welcomes the efforts of the Commission to support the participation of indigenous peoples through its*** (AM 178 Greens) ***specific support to several projects such as DOCIP*** (AM 178 Greens); ***encourages the Commission to continue to promote dialogue and collaboration between indigenous peoples and the European Union as well as with international fora, notably in relation to climate change*** (AM 178 Greens);

## COMPROMISE 14

### Paragraph 19

Covers AM 148 (EPP, D. Lega), AM 149 (Greens, H. Neumann), AM 150 (GUE, M. Matias), 158 Greens, H. Neumann)

19. ***Calls on the EU and its Member States to support all human rights defenders, notably environmental rights defenders and their legal representatives*** (AM 149 Greens) ***as well as to raise their cases when necessary; is convinced that support to***

*environmental rights defenders should be increased and that any reprisal or attack against them by corporate or state actors should be condemned by the EU through public statements and local demarches when appropriate* (AM 158 Greens); reiterates its position on the need for the EEAS, the Commission and the Member States to invest in and strengthen specific **gender-responsive accessible** protection mechanisms and programmes for environmental human rights defenders, ~~and to promote and facilitate access to protection mechanisms for local and indigenous defenders~~ *and to involve them in any investigations into these violations* (AM 150 GUE);

## COMPROMISE 15

Paragraph 20

Covers AM 151 (Greens, H. Neumann), AM 152 (S&D, M. Arena +), AM 153 (EPP, D. Lega)

20. Calls on the EU and the Member States to request and ensure that the right to free, prior, *and* informed ~~and binding consultation and consent with~~ *of* indigenous peoples is respected, without coercion, in any agreement or development projects that may affect the lands, territories or natural assets of indigenous peoples; stresses that the promotion of the rights of indigenous peoples and their traditional practices are ~~key~~ **important** (AM 153 EPP) to achieving sustainable development, combating climate change and ~~conserving~~ **preserving and restoring** (AM 152 S&D) biodiversity, *whilst also assuring adequate safeguards* (AM 151 Greens);

## COMPROMISE 16

Paragraph 22 a (new) and 22 b (new)

Covers AM 145 (S&D, Sanchez Amor), AM 156 (Greens, H. Neumann), AM 158 (Greens, H. Neumann)

*22a. Calls on the Commission and the Council to use all instruments at their disposal, along with the provisions concerning the implementation and enforcement of human rights in the framework of EU's foreign policy and Association Agreements, to effectively support and protect human and environmental rights defenders in EU's neighbourhood, as well as with EU candidate countries to effectively converge with European values and standards* (AM 145 S&D);

*22b. Calls for the adoption of an annex to the EU Guidelines on Human Rights Defenders, dedicated to the specific challenges and needs of environmental defenders and EU policy in this regard* (AM 156 Greens); *stresses the importance to ensure the continuation of ProtectDefenders.eu project at increased levels of funding as well as of other existing EU tools for supporting human rights defenders* (AM 158 Greens);

## COMPROMISE 17

Paragraph 25

Covers AM 164 (S&D, M. Arena+), AM 166 (Greens, H. Neumann)

25. Urges the parties to the UNFCCC to continue increasing their mitigation and adaptation ambition ***in line with the objectives of the Paris Agreement*** (AM 164 S&D) and to integrate the human rights dimension in their NDCs and in their adaptation communication; calls on the secretariat of the UNFCCC to develop guidelines on how to integrate human rights protections into ~~climate policy~~ ***nationally determined contribution and adaptation communication*** (AM 164 S&D) in collaboration with the UN High Commissioner on Human Rights; ***encourages*** (AM RE) ***the parties to revise Intended Nationally Determined Contributions (INDCs) and Nationally Determined Contributions (NDCs) and to develop monitoring mechanisms for NDCs, with the full and effective participation of Indigenous Peoples*** (AM 166 Greens);

## COMPROMISE 18

Paragraph 26

Covers AM 167 (S&D, M. Arena +), AM 168 (ECR, K. Karski)

26. Urges the EU's institutions to ~~play an active and ambitious role~~ ***actively cooperate*** (AM 168 ECR) in the promotion of a human rights approach in the ongoing international climate negotiations, notably in the Sustainable Development Mechanism (***SDM***) and other guidelines for mechanisms under Article 6, paragraph 4 of the Paris Agreement, that ensure meaningful and informed participation of rights-holders, adequate environmental and social safeguards, and independent redress mechanisms; ***stresses that the SDM should aim to finance projects that benefit those most vulnerable to the impacts of climate change, that projects financed under the SDM should undergo a human rights impact assessment with only projects with positive impacts being eligible for registration*** (AM 167 S&D);

## COMPROMISE 19

Paragraph 29

Covers AM 172 (S&D, M. Arena +) and AM 173 (Greens, H. Neumann)

29. Stresses that the Global Stocktake referred to in Article 14 of the Paris Agreement should be used to review progress towards the integration of human rights and other principles into climate action; ***notes that it should include opportunities for civil society and intergovernmental organizations to provide their input*** (AM 173 Greens); ***considers that the implementation assessment of the Paris Agreement should help to identify good practices and barriers to its implementation, and inform future NDCs and international cooperation*** (AM 172 S&D);

## COMPROMISE 20

Paragraph 32

Covers AM 179 (GUE, Matias), AM 180 (EPP, G.Hölvényi)



32. Acknowledges the active role and involvement of civil society; ***including*** (AM 180 EPP, Rapporteur) non-governmental organisations and environmental defenders in advocating for human rights-based approaches to climate action ***and calls on the support of such activities by the EU*** (AM 179 GUE); stresses the need to guarantee civil society participation in the transparency framework laid out in Article 13 of the Paris Agreement;

## COMPROMISE 21

Paragraph 33 a (new)

Covers AM 184 (EPP, Millan Mon, G.Mato) AM 186 (Renew, M. Rodriguez Ramos, P. Auštrevičius)

***33a. Encourages the Commission and the Member States to be active players in the design, establishment and promotion of safeguards and accountability processes within the internationally recognised bodies to ensure (AM 186 RE) that the structural changes made in order to achieve the drastic reduction cut in emissions by 2030 (AM 184 EPP) as foreseen by climate policies are designed, implemented and monitored in a manner that protects the rights of affected people and communities (AM 186 RE) including the right to work and to promote fair and equitable working conditions; emphasises that the green transition should be fair and leave no one behind (AM 184 EPP);***

## COMPROMISE 22

Paragraph 34

Covers AM 181 (EPP, G. Hölvényi), AM 182 (S&D, M. Arena+), AM 185 (S&D, M. Arena+), AM 187 (EPP J. Ochojska)  
Falls: AM 183 (ECR, K. Karski)

***34. Stresses the importance of corporate due diligence and sustainable and accountable corporate accountability as significant and indispensable means to prevent and protect against severe human rights and environmental violations (AMs 181 EPP, AM 182 S&D in meaning AM 187 EPP); calls on the EU to support sustainable (AM 185 S&D) and accountable corporate accountability governance as a key an important element of the European Green Deal; calls on the Member States to implement effective regulatory measures to provide redress identify, assess, prevent, cease, mitigate, monitor, communicate, account for, address and remediate the potential and/or actual adverse human rights abuses (AM 185 S&D), and hold businesses accountable when it comes to ensuring that they fulfil their due diligence obligations regarding the impact of climate change on human rights in line with UN guiding principles on Business and Human Rights;***

## COMPROMISE 23

Paragraph 35

Covers AM 188 (Greens, H. Neumann), AM 189 (S&D, M. Arena +), AM 190 (EPP, G. Hölvényi), AM 191 (Greens, H. Neumann)

35. Welcomes the Commission's commitment to develop a legislative proposal on mandatory human rights and environmental corporate due diligence for companies **throughout** (AM 189 S&D) ~~to identify, take account of and mitigate negative human rights and environmental impacts in their supply chains;~~ **recommends that this legislative proposal should support and facilitate the development of common impact measuring methodologies for environmental and climate change impacts** (AM 188 Greens); stresses the importance of effective, **meaningful and informed** consultation **and communication** with ~~different~~ **all affected or potentially affected** stakeholders, ~~such as human rights including environmental defenders, civil society, trade unions and indigenous people;~~ urges the EU to support and effectively engage in the ongoing negotiations for ~~an international, legally a UN binding instrument~~ **treaty on business and human rights** (AM 189 S&D) to regulate the activities of transnational corporations and other business enterprises; considers that any such instrument must encourage corporate actors **and investors** to assume their responsibilities with regard to the human right to a healthy environment; **considers that any such instrument must include solid environment protection provisions and encourage corporate actors as well as Financial Institutions but also regional investment or development institutions to assume their responsibilities with regard to the human right to a healthy environment** (AM 191 Greens);

## COMPROMISE 24

Recital A

Covers AM 5 (S&D, M. Arena), AM 6 (ECR, K. Karski), AM 7 (EPP, J. Ochojska), AM 42 (GUE, Matias)

Falls: AM 11 (ECR, H.Tertsch), AM 25 (ECR, H.Terstch)

A. whereas the ~~effects~~ **impacts** of climate change and continued environmental degradation ~~threaten~~ **on freshwater resources, ecosystems, and livelihoods of communities are already** (AM 5 S&D) **negatively affecting** (AM 6 ECR) the effective enjoyment of human rights, including the rights to life, food security, safe drinking water and sanitation, health, Housing, self-determination, work and development, as outlined in UN Human Rights Council resolution 41/21; **whereas, even if the international objective of limiting global warming to a 2°C increase above pre-industrial levels is achieved, these impacts will expand dramatically in the coming decades** (AM 5 S&D); **whereas countries have different contributions to climate change and have common but differentiated responsibilities** (AM 42 GUE); **whereas climate change poses an immediate and far-reaching threat to the people of the world mainly to the world's poor that are especially vulnerable as outlined in UN Human Rights Council resolution 7/23** (AM 7 EPP, AM 42 GUE);

## COMPROMISE 25

Recital B

Covers AM 9 (GUE, M. Matias), AM 10 (EPP, J. Ochojska)

B. whereas the UN, along with other international organisations and experts, is calling for global recognition of the right to a healthy *and safe* (AM 10 EPP) environment *as a universal right* (AM 9 GUE);

## COMPROMISE 26

Recital C

Covers AM 15 (ECR, Karski) and AM 14 (EPP, G. Hölvényi)

C. whereas addressing climate change raises issues of justice and equity, both *at international and national level* (AM 14 EPP in the meaning) *and* between ~~and within nations and~~ (AM 15 ECR) generations; whereas access to justice in environmental matters, access to information and public participation in decision-making are enshrined under Implementing Principle 10 of the Rio Declaration on Environment and Development, the Aarhus Convention of 25 June 1998 and the Escazu Convention of 4 March 2018;

## COMPROMISE 27

Recital G

Covers AM 22 (EPP, G. Hölvényi), AM 23 (ECR, K.Karski), AM 24 (ECR, H. Tertsch)

G. whereas states *governments* (Rapporteur), *societies and individuals* (AM 22 EPP) have an ethical and inter-generational responsibility to *be increasingly proactive in terms of policy and cooperation with the goal to agree on international standards* (AM 23 ECR) *in order to take action to protect and preserve the planet for* present and future generations *with the view to guarantee the full enjoyment of their human rights and mitigate the* (AM 24 ECR) ~~from~~ negative impacts of climate change;

## COMPROMISE 28

Recital H

Covers AM 28 (Greens, H. Neumann), AM 29 (S&D, M. Arena+)

Falls: AM 26 (ECR, K.Karski), AM 27 (GUE, M. Matias), AM 30 (EPP, G. Hölvényi)

H. whereas it is widely recognised that the human rights obligations *and responsibilities* of states and ~~the human rights responsibilities of~~ the private sector have specific implications in relation to climate change; whereas failure to protect the environment and those who defend it is contrary to the legally binding human rights obligations of states and could constitute a violation of *certain rights, such* (AM 29 S&D) *as* the right to a healthy environment *or the right to life* (AM 29 S&D); *whereas a growing number of business activities and operations in third countries, result in serious human rights and environmental impacts* (AM 28 Greens);

## COMPROMISE 29

### Recital I

Covers AM 33 (EPP, G. Hölvényi), AM 32 (S&D, M. Arena+)

Falls: AM 31 (ECR, K. Karski)

I. whereas the Paris Agreement is the first international treaty to explicitly recognise the link between climate action and human rights, thus allowing the use of existing human rights-related legal instruments to urge states and private corporates to reduce emissions; whereas ~~the~~**there** (AM 33 EPP) are no concrete instruments within the Paris Agreement to hold state and corporate actors accountable **for their impact on climate change and the exercise of human rights** (AM 32 S&D);

## COMPROMISE 30

### Recital J

Covers AM 36 (EPP G. Hölvényi), AM 37 (GUE, M. Matias)

Falls: AM 35 (ID, Rivière)

J. whereas climate justice aims at addressing the climate crisis using human rights law to bridge the accountability gap in climate governance, by using climate change litigation ~~against~~ **for accountability** (AM 37 GUE) **of** states and corporate actors **to be responsible for their actions in terms of the due preservation of nature for itself and that allows a dignified and healthy life for present and future generations** (AM 36 EPP);

## COMPROMISE 31

### Recital K

Covers AM 39 (ECR, K. Kaski), AM 40 (GUE, M. Matias)

Falls: AM 38 (ID, Rivière)

K. whereas several outstanding legal cases **have established human rights violations and** have paved the way towards accountability ~~via the documentation of human rights violations~~ following failures **or inaction** (AM 39 ECR) by **individuals** (AM 40 GUE), states and corporate actors in addressing the consequences of climate change;

## COMPROMISE 32

### Recital L

Covers AM 43 (Greens, H. Neumann), AM 63 (EPP, J. Ochojska)

L. whereas the human rights consequences of climate change will be felt not only by the most vulnerable people, but by the whole of the world's population; **whereas the most vulnerable communities and countries causing the least pollution and environmental destructions suffer the most from direct consequences of climate change** (AM 43

Greens); whereas the figures for disease and premature death resulting from environmental pollution are already three times greater than those for AIDS, tuberculosis and malaria combined, threatening the right to life, a healthy environment and clean air; ***whereas natural disasters such as floods, tropical storms and long periods of droughts constantly increase and cause damaging consequences for food security in the countries of the global south and for the enjoyment of many human rights*** (AM 63 EPP);

### COMPROMISE 33

Recital M

Covers AM 45 (GUE, M. Matias), AM 46 (EPP, G. Hölvényi), AM 47 (EPP, J. Ochojska)  
Falls: AM 44 (ECR, Karski)

M. whereas ***environmental justice is part of social justice and*** (AM 45 GUE) climate change impacts are asymmetric and their adverse effects are destructive for present and future generations, especially in developing countries; whereas climate change intensely affects developing countries and exacerbates existing social and economic inequalities, causing vulnerable groups ~~such as indigenous peoples, women, children, persons with disabilities, refugees and displaced people~~ to suffer disproportionately from its adverse effects;

### COMPROMISE 34

Recital N

Covers AM 48 (Greens, H. Neumann), AM 49 (S&D, M. Arena+), AM 50 (GUE, M. Matias), AM 51 (EPP, J. Ochojska), AM 54 (EPP, J. Ochojska)  
Falls: AM 52 (ECR, H. Tertsch)

N. whereas climate change is an increasingly important contributor to displacement and migration, both within nations and across international borders; ***whereas displacement is an imminent prospect for some communities, such as those living in areas threatened by desertification, those situated in the rapidly melting Arctic, low-lying coastal areas, and small islands or in other delicate ecosystems and at risk territories*** (AM 48 Greens, AM 49 S&D); ***whereas since 2008, an average of 24 million people have been displaced by catastrophic weather disasters each year especially within three of the most vulnerable regions — sub-Saharan Africa, South Asia and Latin America*** (AM 50 GUE); whereas 80 % of people displaced by climate change are women, according to the UNDP; ***whereas the growing phenomenon of climate-induced displacement*** (AM 51 EPP) ***may pose a direct threat to human rights, culture and traditional knowledge for the population concerned*** (AM 49 S&D) ***and may have an important impact on local communities, on countries and territories where they come to settle*** (AM 54 EPP, Rapporteur);

### COMPROMISE 35

Recital O

Covers AM 56 (GUE, M. Matias), AM 57 (Greens, H. Neumann), AM 58 EPP (D. Lega)  
Falls: AM 55 (ECR, K.Karski)

O. whereas COVID-19 restrictions and lockdowns have reduced transparency and monitoring of human rights violations, and have intensified political intimidation and digital surveillance, while limiting access to justice and the abilities of environmental defenders, *local actors* (Rapporteur), ~~and local~~ and indigenous communities *and others* (AM 58 EPP) to effectively participate in decision-making processes; whereas lockdowns of indigenous communities *and sanitary measures* (AM 56 GUE) have limited their ability to patrol and protect their territories; *whereas such restrictions should be backed by a legitimate and democratic legislation* (AM 56 GUE, Rapporteur); *whereas the capacity of the international community to observe and investigate alleged violations has been considerably diminished due to the pandemic* (AM 57 Greens);

### COMPROMISE 36

Recital P

Covers AM 53 (RE, Rodriguez), AM 59 (EPP, J. Ochojska), AM 60 (EPP, D. Lega), AM 78 (S&D, M. Arena)

P. whereas the ability of people to adapt to climate change is ~~inextricably~~ (AM 60 EPP, Rapporteur) linked *to a large extent* to their access to basic human rights and the health of the ecosystems they depend on for their livelihoods and wellbeing (AM 59 EPP in the meaning); *whereas mitigation and adaptation measures, such as access to, and the use of, natural resources, such as land, water, and forests, and resettlement of people, may also have an adverse effect on the exercise of human rights* (AM 78, S&D); *whereas developing countries and regions will bear an estimated 75-80 % of the costs of climate change, according the report of the UN Special Rapporteur on Extreme Poverty and Human Rights on Climate change and poverty of 17 July 2019* (AM 53 RE);

### COMPROMISE 37

Recital T

Covers AM 66 (EPP, J. Ochojska), AM 67 (Greens, H. Neumann), AM 68 (GUE, M. Matias), AM 69 (EPP, D. Lega), AM 70 (S&D, Arena +)

Falls: AM 65 (ECR, Tertsch)

T. whereas violence against ~~women~~ (AM 69 EPP) environmental activists, (AM 70 S&D) *women in particular* (AM 69 EPP), and defenders of environmental rights *and their lawyers* (AM 66 EPP) has become a well-documented trend *including by mass media and social media coverage* (AM 66 EPP); *whereas women activists suffer from gender-specific forms of violence and intimidation* (AM 67 Greens, Rapporteur) *which are a source of grave concern* (AM 68 GUE, Rapporteur);

### COMPROMISE 38

Recital U

Covers AM 73 (S&D, Sanchez Amor), AM 75 (Greens, Neumann)

Falls: AM 71 (EPP, Hölvényi), AM 72 (ECR, Karski)

U. whereas environmental defenders are on the front line of climate action and accountability; whereas human rights bodies have increasingly drawn attention to the need to specifically protect environmental defenders; whereas the shrinking space for civil society is a global phenomenon that is disproportionately affecting human rights defenders who are working on environmental and land issues and who are often in rural and isolated areas with reduced access to protection mechanisms; ***whereas the vast majority of human rights abuses against human rights and environmental defenders are committed in a climate of near total impunity*** (AM 75 Greens); ***whereas the support and protection of human rights and environmental rights defenders are stated priorities for the European Union in its external action around the world and in its neighbourhood; whereas the Union must use in this regards all the instruments at its disposal*** (AM 73 S&D);

### COMPROMISE 39

Recital Y

Covers AM 76 (ECR, K. Karski), AM 77 Renew (M. Rodriguez Ramos and P. Auštrevičius)

Y. whereas the Escazu Agreement is the first regional agreement on access to information, public participation and justice in environmental matters in Latin America and the Caribbean; whereas the Escazu Agreement, which has been open for ratification since 1 September 2019, is the first treaty to establish the right to a healthy environment (Article 4); ***whereas the Escazu Agreement which reiterates the importance of regional cooperation may serve as an inspiration for other regions, facing similar challenges*** (AM 76 ECR); ***whereas the Aarhus Convention establishes a number of rights to the individuals and civil society organizations with regard to the environment, including access to environmental information, public participation in environmental decision making and access to justice; whereas the Parties to the Convention are required to make the necessary provisions so that public authorities (at national, regional or local level) will contribute to these rights to become effective*** (AM 77 RE);