



2021/2176(INI)

15.2.2022

SPLIT AMENDMENTS

Draft opinion
Benoît Biteau
(PE704.583v01-00)

The future of EU international investment policy
(2021/2176(INI))

Amendment 29

Benoît Biteau

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 4

Draft opinion

4. Urges the EU to review its investment treaties in order to ensure a fair balance between rights and obligations for investors with full respect for human rights and the environment; stresses the need to oblige the investor to support sustainable investment in the host state and to oblige the home state of the investor to allow victims to seek justice;

Amendment

4. Urges the EU to review its investment treaties in order to ensure a fair balance between rights and obligations for investors with full respect for human rights and the environment [part 1]; *underlines that the use of substantive provisions of foreign investment protection, in particular the principles of ‘indirect expropriation’ and of ‘fair and equitable treatment’, weaken the Parties’ right to regulate and pursue legitimate public policy objectives, such as public health, safety and environmental protection; insists on regular monitoring and reporting back to the European Parliament on the use of this provision by European investors [part 2];* stresses the need to oblige the investor to support sustainable investment in the host state, *i.e. by supporting the local economy through technology transfer and by utilising local labour and inputs*, and to oblige the home state of the investor to allow victims to seek justice; *in particular, calls on the EU to ensure that its trade and investment policy respect inter alia the 2018 UN Declaration on the Rights of Peasants and Other People Working in Rural Areas; the FAO Voluntary Guidelines of Tenure, Land and Forests and for Securing Sustainable Small Scale Fisheries, the UN Declaration on the Rights of Indigenous Peoples, and Free, Prior and Informed Consent, as set out in the ILO Convention 169 [part 1];*

Or. en

Amendment 37

Benoît Biteau

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 5

Draft opinion

5. Believes that governments should not sign new investment protection treaties that include the ISDS mechanism and should remove it from the existing ones;

Amendment

5. **Stresses that there is no evidence that ISDS has promoted Foreign Direct Investment (FDI) in developing countries [part 2];** Believes that governments should not sign new investment protection treaties that include the ISDS mechanism and should remove it from the existing ones; **in particular, believes that investment trade agreements should require local legal remedies to be exhausted first before the foreign investor can resort to an arbitral tribunal, as in the case of human rights system [part 1];**

Or. en

Amendment 53

Mónica Silvana González

Draft opinion

Paragraph 7

Draft opinion

7. Urges the *EU to refrain* from including a digital clause in investment trade agreements *that would restrict* the digital industrialisation strategy of developing countries;

Amendment

7. **Points out that less than 1 out of 5 people in least developed countries have access to the internet; notes that developing countries are now putting in place the first efforts to develop a digital industrialisation agenda aiming at creating local economic activity and that many such countries are still in the early**

stages of creating a legal framework for the protection of personal data and ensuring that digital innovation benefits working people [part 1]; expresses its concern that locking in global rules at such an early stage of the development of the internet and digital trade would lock in a status quo which sees ownership and control of data tightly concentrated in the hands of a few corporations while leaving States unable to maximise the public good that comes from digital innovation [part 2]; urges the Commission to assess specifically the potential consequences from including a digital clause in investment trade agreements, so as to avoid restricting the digital industrialisation strategy of developing countries and help bridge the digital gap [part 1].

Or. en

Amendment 70

Jan-Christoph Oetjen, Iskra Mihaylova, Catherine Chabaud, Charles Goerens

Draft opinion

Paragraph 8 g (new)

Draft opinion

Amendment

8 g. Welcomes the European Commission's proposal on the Global Gateway [part 1]; Emphasizes that investment strategies by European Member States and private entities alike, must be values-driven, adhere to high standards on human rights and labour rights and be fully aligned with the UN's Agenda 2030 and its Sustainable Development Goals, as well as the Paris Agreement [part 2];

Or. en