**HEALTHY ECOSYSTEMS AND HUMAN RIGHTS**

The European Union would like to thank the UN Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, for his call for contributions to his upcoming report on *healthy ecosystems and human rights.* The contribution from the European Union is comprised of both EU internal and EU external actions and policy dimensions. As recommended in the Note Verbale, his questionnaire was used to facilitate the input provided.

*Question 1: Provide examples of ways in which declining biodiversity and degraded ecosystems are already having adverse impact on human rights. Adversely affected rights could include, among others, the rights to life, health, food, culture, non-discrimination, a safe, clean, healthy and sustainable environment, and Indigenous rights.*

The **EU action Plan on Human Rights and Democracy (2020-2024)** recently adopted by the Commission acknowledges that human rights are increasingly intertwined with global environmental challenges such as environmental degradation, pollution and climate change and envisaged a number of actions, at all levels, to support recognition and fulfilment of the right to a healthy environment. Building a sustainable environmental future is a key goal, cutting across traditional lines between the economy and security, and between internal and external policy dimensions. The negative impacts of environmental degradation and climate change threaten and can multiply the challenges to a range of rights – to health, food, water and even life itself.

Everyone’s ability to enjoy these human rights depends on healthy ecosystems and the multiple benefits that ecosystem services provide to people. This concerns particularly the rights of children, women, indigenous peoples and local communities. For many rural communities, including indigenous peoples’ communities, for instance healthy ecosystems are essential for their health and livelihoods, notably as regards the quantity and quality of **water** available for food production, drinking and hygiene. There are numerous cases in which competing demand for water by hydroelectric investments or extractive industries, compounded by water pollution and water grabbing, lead to severe degradation of rivers and associated ecosystems, hence jeopardising the human right to food and a safe and clean environment of local communities.

The factual relationship between biodiversity and the right to **food** is well understood, and featured prominently in the reports of the UN Special Rapporteur on the Right to Food. The stability and resilience of food sources depends on biodiversity: for instance, between USD 235-577 billion in annual global crop output is at risk because of the decline of pollinators with direct implications for food security.

The 2016 State of Knowledge Review on Biodiversity and Health (WHO/CBD, 2016) identified biodiversity as a key environmental determinant of human **health**. On one hand, biodiversity is an irreplaceable resource for the discovery of medicines. For instance, ‘10 of 14 major classes of antibiotics are derived from microorganisms’ (Knox, 2017). On the other hand, healthy ecosystems play an essential role to combat pollution and maintaining the water cycle. As we are sadly reminded today, human-caused changes in ecosystems, such as modified landscapes, intensive agriculture and antimicrobial use, are increasing the risk and impact of infectious disease transmission.

The right to **life** itself can also be put at risk by biodiversity loss and ecosystems degradation in the form of increased natural hazards. For instance, loss of coastal habitats and coral reefs due to floods and hurricanes has increased the risk to life and property for 100-300 million people. Ecosystem degradation can also make already scarce resources such as land and water even scarcer, leading to increased competition that may escalate into violent conflict. The United Nations Environment Programme (UNEP) suggests that in the last 60 years, at least 40 % of all intrastate conflicts have a link to natural resources, and that this link doubles the risk of a conflict relapse in the first five years. Since 1990, at least 18 violent conflicts were fuelled by the exploitation of natural resources, whether high-value resources like timber, diamonds, gold, minerals and oil, or scarce ones like fertile land and water.

Additionally, there is direct link between biodiversity loss and **human rights defenders**. In 2018, at least 164 land and environmental defenders are reported to have been assassinated, according to Global Witness[[1]](#footnote-1). Among the victims 40 % are indigenous, underlining the high relevance of the **EU Council conclusions on Indigenous peoples** of May 2017. The Council Conclusions, which reaffirmed EU’s commitment to the UN Declaration on the rights of Indigenous Peoples, also put priority in addressing threats and violence in the context of land, environment and climate change along with the discrimination suffered by indigenous peoples.

*Question 2: To protect a wide range of human rights, what are the specific  obligations of a States and responsibilities of businesses in terms of addressing the main drivers of harm to biodiversity and ecosystems (e.g. land conversion, loss and degradation of habitat, climate change, overexploitation, pollution, invasive species)  and indirect drivers (unsustainable production and consumption, rapid human population growth, trade, conflict and inequality)?*

As outlined in the 2017 Report on biodiversity and ecosystem services by the UN Special Rapporteur on Human Rights and the Environment (Knox 2017), the **Convention on Biological Diversity (CBD)** is the primary instrument at global level that provides legally binding provisions on State obligations towards conservation and sustainable use of biodiversity. Therefore, international human rights bodies relies on the CBD for matters related to biodiversity and human rights. The aforementioned report outlines that: States must develop laws and institutions that effectively regulate harm to biodiversity from private actors as well as government entities in a way that is ‘non-retrogressive and non-discriminatory’; States authorising any activity, either conservation or sustainable use of biodiversity, must ensure that no unjustified, foreseeable infringements of human rights may arise from their decisions by conducting prior assessments of possible socio-cultural and environmental impacts of projects or policies that may affect biodiversity; States must protect biodiversity defenders as human rights defenders, and States must ensure: affordable, effective and timely public access to information on biodiversity, in a language understandable to those affected; public participation in decision-making on biodiversity taking public views, including children’s views, into account; access to effective remedies for violations of human rights and biodiversity laws by private and public actors.

As regards responsibilities of businesses, the EU is addressing violations of human rights by companies and corporate entities, enforcing the State duty to protect such rights, and ensuring access to remedy to citizens whose rights have been violated. The EU is committed to the full implementation of the UN Guiding Principles (UNGPs) on Business and Human Rights and has made substantial progress in this direction, including by raising awareness with third parties throughout the world. At bilateral, regional and multilateral level, the EU is increasingly discussing and exchanging experience on Business and Human Rights in EU human rights dialogues and dedicated seminars and workshops. The abovementioned EU Council conclusions of May 2017 have also underlined the relevance of the UNGP’s to indigenous peoples.

Climate change has been widely recognized as a threat multiplier to international stability and security in particular affecting those in most fragile and vulnerable situations, reinforcing environmental pressures and disaster risk, contributing to the loss of livelihoods and forcing the displacement of people.

*Question 3: Please provide specific examples of constitutional provisions, legislations, regulations, policies, programs or other measures  that employ a rights based approach to prevent, reduce, or eliminate harm to biodiversity and ecosystems or to restore and rehabilitate biodiversity  and ecosystems?*

For nearly 20 years, sustainable development has been one of the fundamental objectives of the European Union since it was included in the Treaty of Amsterdam. The Treaty on the Functioning of the European Union (TFEU) article 11 provides that "Environmental protection requirements must be integrated into the definition and implementation of the Union's policies and activities, in particular with a view to promoting sustainable development". The protection of environment and sustainability issues are therefore integrated across EU legislation, policies and programmes. It is therefore not possible to summarise all the relevant specific obligations in the EU. European legislation on nature protection, namely the so-called “Nature Directives”, are particularly relevant. Important are also sectoral legislation (such as the Water Framework Directive) and crosscutting governance legislation such as the Directive on Environmental Impact Assessment and strategic Environmental Assessment, and the Environmental Liability Directive (more on this below).

The Court of Justice of the European Union has adopted a rights-based approach that entitles NGOs to bring legal challenges to actions or inactions of the national administration in respect of the EU Nature Directives. The Court has taken account of Article 9(3) of the Aarhus Convention, which is a broad access to justice provision. The case-law is touched on in the 2017 Commission Notice on access to justice in environmental matters. It is difficult to summarize the nature of the rights concerned – but in simple terms, it is a right to protect nature for the common good. This would go beyond traditional human rights, since it covers the intrinsic value of nature and not just its value for or links to the protection of traditional human rights.

The **European Green Deal**[[2]](#footnote-2), adopted in 2019, ratifies biodiversity conservation as an essential objective for sustainable development at European and global level. The European Green Deal aims to protect, conserve and enhance the EU's natural capital, and protect the health and well-being of citizens from environment-related risks and impacts. The European Green Deal presents a transformative vision extending from the way we produce to the way we consume and sets out a roadmap for a climate neutral continent by 2050. The transition must be just and inclusive. It puts people first, and pay attention to the regions, industries and workers who will face the greatest challenges.

The Commission promotes action by the EU, its Member States and the international community to step up efforts against environmental crime. The Commission will take action to improve access to justice for individuals, as well as NGOs, before national courts in all Member States. As part of the European Green Deal, the Commission will also propose to revise the Aarhus Regulation to broaden the scope of NGOs to seek administrative review at EU level if they have concerns about the legality of decisions with effects on the environment. Whereas currently an administrative review can only be requested for acts of ‘individual scope’ (acts which are directly addressed to a person or where the person affected can be distinguished individually), in the future, NGOs will also be able to request review of administrative acts of ‘general scope’ (a category which includes acts of general application).

A new **EU Biodiversity Strategy 2030** was published by the European Commission on 20 May 2020. It is a key contribution of the EU to the discussions towards the adoption of a more ambitious post-2020 global biodiversity framework. The Commission proposes that the EU ensures that, as a minimum, the post-2020 global framework under discussion includes a stronger and more effective framework for monitoring and reviewing implementation, and that it respect the rights and the full and effective participation of indigenous peoples and local communities. It also includes the adoption of an inclusive approach with participation of all stakeholders, including women, youth, civil society, local authorities, the private sector, academia and scientific institutions.

The **EU biodiversity policy** highlights that healthy ecosystems and poverty eradication are intrinsically linked and must be addressed together. The **rights-based approach** (RBA) is hence at the heart of the external dimension of the EU biodiversity policy, in line with the European Consensus for Development[[3]](#footnote-3). The Consensus commits the EU and its Member States to implementing a rights-based approach to international cooperation, encompassing all human rights. This approach goes beyond the 'do no harm' principle and applies to all sectors, modalities and steps of the project cycle. Its working principles include the legality, universality and indivisibility of human rights; participation and access to the decision-making process, as a basis for active citizenship; non-discrimination and equal access, prioritising people living in the most marginalised situations; accountability and access to the rule of law, from both donors and recipients; transparency and access to information, available in accessible formats.

The EU has developed the **Biodiversity for Life** (B4Life) flagship initiative[[4]](#footnote-4) to respond to the need to strengthen the linkages between biodiversity and ecosystem conservation on the one hand and poverty eradication on the other, applying a RBA. This is also reflected in the series of strategic documents on biodiversity conservation for Africa, Asia and Latin America (respectively “Larger than Elephants”[[5]](#footnote-5), “Larger than Tigers”[[6]](#footnote-6), and “Larger than Jaguars”[[7]](#footnote-7)).

In addition, in July 2019, EU adopted the **human rights guidelines for safe drinking water and sanitation**. They underline the EU’s commitment to help realise the rights to safe drinking water and sanitation worldwide, and define priorities for EU external action. These guidelines are one of the many steps that the EU is taking towards the progressive realisation of Sustainable Development Goal (SDG) 6 to ‘ensure availability and sustainable management of water and sanitation for all’ and SDG 13 on ‘taking urgent action to combat climate change and its impact’.

*Question 4:   If your State is one of the 156 UN MS that recognizes the right to a safe, clean, healthy and sustainable environment, has this right contributed to protecting, conserving and restoring biodiversity and healthy ecosystems? If so, how? If not, why not?*

The EU has some of the world’s highest environmental standards, developed over decades. Environment policy helps the EU economy become more environmentally friendly, protects Europe’s natural resources, and safeguards the health and wellbeing of people living in the EU.

EU environmental policy is required to contribute to protecting human health, amongst other objectives (see Article 191(1) of the Treaty on the Functioning of the European Union). Many individual pieces of EU environmental legislation have specific requirements related for instance to the protection of human health, for example laws on air quality, bathing waters and drinking water. These requirements create rights, which can be invoked by individuals and environmental NGOs before national courts. The Court of Justice of the European Union (CJEU) has also confirmed an entitlement of NGOs to bring judicial challenges related to the protection of nature. In a significant number of cases, the right of such NGOs has contributed in practical ways to protecting, conserving and restoring biodiversity and health ecosystems.

*Question 5: Please provide specific examples of good practices in preventing, reducing, or eliminating harm to biodiversity and ecosystems, or restoring and rehabilitating biodiversity and ecosystems. These examples may occur at the international, national, sub-national or local level. Where possible, please provide evidence related to the implementation, enforcement, and effectiveness of the good practices (e.g. measurable outcomes such as increases in terrestrial and marine protection areas, increases in Indigenous and Community Conserved Areas, declining rates of deforestation and poaching, or progress in the recovery  of species  that were previously  threatened or endangered).*

In the EU, there are many good practices in preventing, reducing or eliminating harm to biodiversity and ecosystems from the LIFE Programme of the EU’s funding instrument for the environment and climate action. These good practices are documented in a range of publications related to the programme[[8]](#footnote-8).

As regards EU support to third countries, one of the approaches that has proved promising is the Integrated Landscape Management approach, integrating social and economic development with biodiversity conservation and climate change mitigation. A specific example is the EU Integrated Landscape Management programme adopted in 2019, with EUR 123 million to benefit at least 21 countries. It aims to support the balance between land uses, for the joint benefits of food security, climate change mitigation and adaptation, and the preservation of ecosystems and of the essential services they provide. It aims to enhance ecosystems preservation, not only focussing on protected areas and wildlife and forest-products trafficking, but also on productive landscapes and livelihoods.

An essential condition to an effective protection and rehabilitation of biodiversity and ecosystems is the inclusion and participation of all stakeholders in conservation actions, developing governance models appropriate to each context. Indeed, the most successful conservation processes are those that are understood and accepted by indigenous peoples and local communities, as many remain highly dependent on access to biodiversity resources. Civil Society Organisations (CSO) strengthening for this purpose is a key objective of the Critical Ecosystem Partnership Fund (CEPF), co-funded by the EU, as it aims to improve CSO capacity to effectively plan, implement and evaluate actions for biodiversity conservation. To date, CEPF has also supported the creation or expansion of more than 15 million hectares of new protected areas in 24 biodiversity hotspots, and has strengthened the management and protection of more than 47 million hectares of Key Biodiversity Areas in 24 hotspots[[9]](#footnote-9).

The EU supports biodiversity projects in a number of parks and protected areas in Central Africa, which have played a vital role in creating areas of stability and security, allowing local populations to build and sustain viable communities and restricting to an important extent the activities of armed groups and other negative actors. Examples are Garamba, Chinko, Virunga and Zakouma in Central Africa.

A good practice from the Mediterranean is a regional project that supports the establishment of a network of Marine Protected Areas (MPAs). The aim is to ensure the long-term conservation of key elements of the marine biodiversity and give significant support to the sustainable development of this region. Improvement of the MPA coordination and networking within the Mediterranean has led to an increase number of members and partners joining their efforts to increase the protection space and protect indigenous species. Today 188 national marine protected areas are part of this network. With the support of the project, the MedPan, a network of MPA managers, has published various documents such as guidelines on monitoring marine turtles and fisheries. Furthermore, an Ad Hoc Group of Experts on MPA in the Mediterranean monitors the progress in the implementation of the Roadmap for a Comprehensive Coherent Network of Well-Managed Marine Protected Areas (MPAs) to Achieve Aichi Target 11 in the Mediterranean.

Another example is the NEXUS Water Energy food security programme, which since 2015 has established in 5 regions and 84 countries national and regional dialogues at technical and political level to enhance a more efficient and affordable use of water resources. The programme interfaces with regional authorities that have the competence to discuss with Governments, civil society organisations and other stakeholders.

*Question 6: Please indicate specific gaps, challenges and barriers that your government, business, or organization has faced in attempting to employ a rights-based approach to preventing, reducing or eliminating harm to biodiversity and ecosystems.*

The RBA is based on the EU’s legal foundation on human rights, and is applied throughout all phases of the cooperation programming cycle. RBA reinforces the EU’s most recent political commitments on environment and biodiversity protection embodied in its European Green Deal. There are however a number of challenges for its effective application, such as:

1. Indigenous peoples and local communities (IPLC) living in the most remote naturel areas are amongst the poorest with poor access to formal education and employment in most countries while being at the forefront of the fight against climate-change and for biodiversity conservation. There is a need for to strengthen the effectiveness of engagement and systematic application of the principle of the Free, Prior and Informed Consent (FPIC) and understanding of rights-holders.
2. Lack of governmental recognition can often negatively impact preservation of traditional knowledge of IPLC and viable sustainable development alternatives, although a positive correlation has often been established between IP territory governance and successful biodiversity conservation outcomes.
3. Trade agreements, financial investments and private sector activities in natural habitats, which are vulnerable to human activities, should be carefully monitored and mitigated in case of environmental harm. It is paramount to leverage indigenous peoples’ and local communities’ input, to curve any potentially negative human impact from the environment and biodiversity degradation.
4. Customary rights and other forms of legitimate tenure rights to biodiversity and natural resources are often not formally recognized in national frameworks or not effectively protected.
5. Public participation and access to justice on environmental matters, including judicial remedies are not sufficiently ensured (both due to weak legal framework and weak implementation and enforcement).

*Question 7: Please specify ways in which additional protection is provided for population who may be particular vulnerable to declining biodiversity and degraded ecosystems? How can these populations be empowered to protect and restore declining biodiversity and degrading ecosystems?*

At the EU level, the **Environmental Liability Directive**, 2004/35 entitles affected persons to call for action to prevent or remedy damage to protected species and natural habitats (see Articles 12 and 13 of the Directive). Other provisions of EU law and jurisprudence also are important to provide additional protection is provided for population who may be particular vulnerable to declining biodiversity and degraded ecosystems by recognizing the entitlement of environmental NGOs to bring legal challenges to protect biodiversity. This is extremely important as individuals or local communities may not always have the capacity or means to do so.

Among populations living in the most vulnerable situations to declining biodiversity are the indigenous peoples, whose livelihoods rely more directly on healthy ecosystems. The consolidation of indigenous peoples territories, including through the recognition of traditional and customary land tenure systems, which often overlap with protected areas or biodiversity rich areas, can contribute to the conservation of both biological and cultural diversity. Actions to attain this objective include strengthening indigenous peoples’ rights; building capacity of indigenous peoples’ and local community organisations; strengthening models for participatory management, and offering sustainable development alternatives which reconciling conservation objectives and practices with a positive dynamic of empowerment and economic development. Recommendations also include giving legal or administrative recognition to other conservation statuses than national protected areas, including among others certain indigenous governance systems; and establishing “no-go-zones” for megaprojects.

The **Convention on Biological Diversity** recognises that social and gender equality and the empowerment of women are important prerequisites for environmental conservation and for sustainable development. Indeed, among other things, women tend to have a key role in the conservation of underutilised agricultural species, the collection of wild plants for food and other purposes, knowledge transmission about natural medicinal plants, etc. At the same time, women often face discrimination in natural resource governance and tenure, both in traditional and national governance systems. Hence, it is important to apply a gender-sensitive approach in all projects in support of biodiversity conservation and restoration, in order to promote women’s empowerment and reduce discrimination.

*Question 8: How do you safeguard the rights of individuals and communities working on biodiversity issues? What efforts has your Government made to create a safe environment for them to freely exercise their rights without fear of violence, intimidation, or reprisals?*

The EU is always seeking to formulate coherent, effective responses to promote the work of environmental human rights defenders (HRD) and strengthening their protection. Since June 2004 the **EU Guidelines on Human Rights Defenders**, identify practical ways for the Union to support and assist HRDs working in third countries, including those defending the right to a good standard of living, and in particular preserving biodiversity.

The EIDHR funds the EU human rights defenders mechanism, ProtectDefenders.eu (EUR 20 million for 2015-2019 renewed in November 2019 with EUR 15 million until 2021), which provided support to more than 30.000 HRDs and their families since 2015 through a combination of short, medium and long-term initiatives. The EU specifically reacted to the situation of Human right defenders working on environment. The global EIDHR call for proposals in 2017 allocated 5 million to projects "Supporting Human Rights Defenders in the area of land-related rights, indigenous peoples, in the context of inter alia 'land grabbing' and climate change". Thanks to this projects the situation on hundreds of environmental human rights defenders have improved around the world.

The EU Council presented in November 2018 the **Water Diplomacy Conclusions**, confirming the right and the importance of environmental defenders in the field of water resources and water grabbing. Moreover they reaffirmed the need of combating the use of water in armed and not armed conflicts.

The EU is supporting land governance in about 40 countries with a total budget of EUR 240 million and promoting **Voluntary Partnership Agreements** on Forest Law Enforcement, Governance and Trade seeking to address deep-rooted governance weaknesses in the forestry sector that lead to unsustainable and inequitable practises. The Voluntary Partnership Agreements provide the space for multi-stakeholder dialogue on contentious issues, including on indigenous peoples and land rights, supporting capacity building in that respect and building on incentives for the necessary reforms.

*Question 9: There is substantial evidence that consumption in high-income States is adversely affecting biodiversity and ecosystems in low and middle-income States. What are ways in which high-income States should assist low-income States in responding to biodiversity loss and ecosystem degradation, while simultaneously contributing to sustainable development in those low-income States?*

Consumption and production of various commodities has a significant impact on biodiversity and ecosystems, for instance due to land-use change related to agricultural expansion, mining, and urban/infrastructure development. International trade in such commodities plays a role a certain role in creating demand and the EU is fully committed to minimize its footprint beyond EU borders.

However, it should be noted that most of the consumption of such commodities is for directed to domestic consumption. For instance, worldwide, approximately two-third of deforestation embodied in crop production is used domestically in the producing country, one-third is exported[[10]](#footnote-10). It should also be noted that significant international trade flows with a potential impact on biodiversity happen among low and middle income countries, including as regards commodities often associated with deforestation such as soy, palm oil, beef, etc. More efforts are therefore needed including through domestic action in producing countries to minimize impacts on biodiversity.

For the EU, fighting biodiversity loss and ecosystem degradation and contributing to sustainable development of lower income countries go hand in hand, as exemplified in the EU policy to **protect and restore the world’s forests**. A combination of measures related to the EU consumption footprint and to production practices in supply countries has been identified, under five action areas: i) to reduce the EU consumption footprint on land and encourage the consumption of products from deforestation-free supply chains; ii) to work in partnership with producer countries to reduce pressures on forests and to “deforest-proof” EU development cooperation; ii) to strengthen international cooperation to halt deforestation and forest degradation, and encourage forest restoration; iv) to redirect finance to support more sustainable land-use practices; v) to support better availability and quality of information on forests and supply chains. These five actions aim notably to help low-income States to further develop their forest and land-based economies and international trade relations, while simultaneously protecting forest biodiversity.

The new **Circular Economy Action Plan** adopted on 11 March 2020 envisages that “the Commission will take action with the aim to ensure that the EU does not export its waste challenges to third countries” and will review EU rules on waste shipments. The review will “aim at restricting exports of waste that have harmful environmental and health impacts in third countries or can be treated domestically within the EU by focusing on countries of destination, problematic waste streams, types of waste operations that are source of concern, and enforcement to counteract illegal shipments. The Commission will also support measures at multilateral, regional and bilateral levels to combat environmental crime notably in the areas of illegal exports and illicit trafficking, strengthen controls of shipments of waste, and improve the sustainable management of waste in these countries”.

*Question 10: For businesses, what policies and practices are in place to ensure that your activities, products and services across the entire supply chain minimize biodiversity loss and ecosystem degradation and meet human rights standards, especially those articulated in the Guiding Principles on Business and Human Rights.*

The EU has put in place rules and policies for promoting due diligence, including on respect of human rights and environmental standards by businesses along the supply chain. Such policies include mandatory sectorial due diligence rules for timber and minerals, non-financial disclosure requirements and promotion of sustainability standards in textile, garment and leather supply chains.

The **Non-Financial Reporting Directive**[[11]](#footnote-11) requires large companies as well as other public-interest entities with more than 500 employees listed on EU markets (about 6,000 of the largest EU companies) to disclose the due diligence process that they implement with regard to environmental and social issues, human rights, and bribery and corruption. In particular, the Directive requires companies to disclose their business model, policies (including due diligence processes), outcomes, principal risks and risk management and performance indicators regarding those issues. Companies had to report for the first time in 2018. The Commission published supplementary Non-Binding Guidelines for reporting non-financial informationin July 2017, updated by mid-2019 with regard to the disclosure of climate-related information.

The **EU Timber Regulation**[[12]](#footnote-12) prohibits the sale of illegally harvested timber and derived products in the EU and requires that operators undertake a risk management exercise/due diligence for this purpose. The Regulation requires that operators have access to information describing the timber and timber products, country of harvest, species, quantity, details of the supplier and information on compliance with national legislation in order to assess the risk of illegal timber in the supply chain. This includes ensuring that the harvesting of the timber does not violates third parties rights. When the assessment shows that there is a risk of illegal timber, that risk can be mitigated by requiring additional information and verification from the supplier.

The EU is the global leader in responsible sourcing of metals and minerals from conflict- affected and high-risk areas (also referred to as “conflict minerals”). In 2017 the EU adopted the **Conflict Minerals Regulation**[[13]](#footnote-13), which sets out requirements, applicable as of 1 January 2021, for importers of tin, tantalum, tungsten and gold from conflict-affected and high risk area, to undertake supply chain due diligence to identify and mitigate risks associated with conflict-affected and high-risk areas. In 2018, the Commission adopted non-binding guidelines for EU importers to identify conflict-affected and high-risk areas and for national competent authorities to carry out ex-post checks on importers. The Commission also adopted in January 2019 a delegated regulation[[14]](#footnote-14) on the recognition of supply chain due diligence schemes.

The Commission also coordinates and monitors the implementation of **Kimberley Process** Certification Schemein the EU, an international certification scheme for rough diamonds to guarantee they have not been sourced in conflict-affected areas.

The EU has also put in place measures to foster sectorial due diligence in garment, textile and leather industries, with the objective to foster improvements in the medium- to long-term in terms of environmental impacts and working conditions in producing countries. These measures include, for instance, promoting best practices on social and environmental standards and funding projects to increase transparency and sustainability of value chains.

In addition, the European Commission has published in February 2020 the results of a “Study on human rights due diligence requirements through the supply chain” assessing how companies define and implement due diligence processes to prevent, mitigate and account for abuses of human rights, including environmental damage, also with respect to climate. As a concrete follow up the Commission plans to launch a public consultation on a possible sustainable corporate governance initiative soon.

1. <https://www.globalwitness.org/en/campaigns/environmental-activists/enemies-state/> [↑](#footnote-ref-1)
2. COM(2019) 640 final. The European Green Deal [↑](#footnote-ref-2)
3. THE NEW EUROPEAN CONSENSUS ON DEVELOPMENT ‘OUR WORLD, OUR DIGNITY, OUR FUTURE’ , 2017 (<https://www.consilium.europa.eu/media/24011/european-consensus-for-development-st09459en17.pdf>) [↑](#footnote-ref-3)
4. <https://europa.eu/capacity4dev/b4life/> [↑](#footnote-ref-4)
5. <https://op.europa.eu/en/publication-detail/-/publication/d5aa8385-7b19-11e7-b2f2-01aa75ed71a1> [↑](#footnote-ref-5)
6. <https://op.europa.eu/en/publication-detail/-/publication/93b375bc-4769-11e8-be1d-01aa75ed71a1/language-en> [↑](#footnote-ref-6)
7. <https://ec.europa.eu/international-partnerships/system/files/brochure-jaguars-summary-20191014_en.pdf> [↑](#footnote-ref-7)
8. See for instance:

<https://ieep.eu/publications/drivers-of-conservation-success-in-the-eu>

<https://ec.europa.eu/environment/nature/natura2000/awards/previous-editions/index_en.htm> [↑](#footnote-ref-8)
9. <https://www.cepf.net/sites/default/files/cepf-2019-impact_report-website.pdf> [↑](#footnote-ref-9)
10. European Commission 2013, The impact of EU consumption on deforestation: Comprehensive analysis of the impact of EU consumption on deforestation. [↑](#footnote-ref-10)
11. Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups Text with EEA relevance (OJ L 330, 15.11.2014, p. 1–9). [↑](#footnote-ref-11)
12. Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market Text with EEA relevance (OJ L 295, 12.11.2010, p. 23–34)*.*  [↑](#footnote-ref-12)
13. Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017 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 (OJ L 130, 19.5.2017, p. 1–20). [↑](#footnote-ref-13)
14. Commission Delegated Regulation (EU) 2019/429 of 11 January 2019 supplementing Regulation (EU) 2017/821 of the European Parliament and of the Council as regards the methodology and criteria for the assessment and recognition of supply chain due diligence schemes concerning tin, tantalum, tungsten and gold

C/2019/9 (OJ L 75, 19.3.2019, p. 59–65). [↑](#footnote-ref-14)