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NOTE

From: Permanent Representatives Committee (Part 1)
On: 30 November 2022
To: Council

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Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL on Corporate Sustainability Due Diligence and amending
Directive (EU) 2019/1937
- General Approach
= *Statement by Ireland*

Delegations will find attached a statement by the Irish delegation on the above-mentioned subject with a view to the Competitiveness Council meeting on 1 December 2022.

Proposal for a Directive on Corporate Sustainability Due Diligence

Statement by Ireland

to be included in the minutes of COMPET Council on 1 December 2022

Ireland has been supportive of the objective of the proposed Directive which will play a significant role in promoting responsible business conduct. An EU-wide framework is best placed to both support the functioning of the single market and to influence respect for human rights and the environment beyond the EU. Ireland has been seeking to ensure that the proposal has ambition while striking the right balance of providing effective protections for stakeholders and ensuring that the measures to be implemented by companies are clear, proportionate, and enforceable. Ireland considers that the proposal should apply across all sectors of the economy, including regulated financial undertakings in the financial sector.

Ireland is disappointed that the final version of the text, which came before Council today, provides flexibility to Member States to exclude the financial sector. Ireland is keen to ensure that any approach agreed supports harmonisation, promotes policy coherence and avoids the risk of fragmentation within the single market. Accordingly, we did not support the revised Presidency approach and have abstained on the adoption of a General Approach.

Nevertheless, this is a ground-breaking proposal that will create legally binding obligations for companies in respect of adverse impacts on human rights and the environment. Ireland looks forward to a successful conclusion to the forthcoming trilogue negotiations and to a final Directive being agreed at an early date.