



**Forest Peoples Programme**  
1C Fosseway Business Centre, Stratford Road,  
Moreton-in-Marsh, GL56 9NQ, England  
tel: +44 1608 652893; fax: +44 1608 652878  
[info@forestpeoples.org](mailto:info@forestpeoples.org); [www.forestpeoples.org](http://www.forestpeoples.org)



**Both ENDS**  
Nieuwe Keizersgracht 45  
1018 VC Amsterdam  
The Netherlands

**telephone** +31 20 530 66 00  
**telefax** +31 20 620 80 49  
**e-mail** [info@bothends.org](mailto:info@bothends.org)  
**website** [www.bothends.org](http://www.bothends.org)

27 April 2018

HE A. Cecilia Malmström  
European Commissioner for Trade,  
European Commission,  
Rue de la Loi 200, 1049 Brussels  
**BY EMAIL:** [cecilia-malmstrom-  
contact@ec.europa.eu](mailto:cecilia-malmstrom-contact@ec.europa.eu)

Dr. Frans C.G.M. Timmermans  
First Vice-President, in charge of Better  
Regulation, Inter-Institutional Relations, the Rule  
of Law and the Charter of Fundamental Rights,  
European Commission  
Rue de la Loi 200, 1049 Brussels  
**BY EMAIL:** [frans-timmermans-  
contact@ec.europa.eu](mailto:frans-timmermans-contact@ec.europa.eu)

cc:  
Information, Communication and Civil Society  
Unit - Trade A3,  
European Commission,  
B-1049 Brussels, Belgium  
**BY EMAIL:** [isabelle.stassart@ec.europa.eu](mailto:isabelle.stassart@ec.europa.eu);  
[jolana.mungengova@ec.europa.eu](mailto:jolana.mungengova@ec.europa.eu)

Dear Ms Malmström, Mr Timmermans,

**REQUEST FOR DIALOGUE WITH INDIGENOUS AND COMMUNITY LEADERS ON EU SUPPLY CHAINS,  
SUSTAINABLE TRADE, AGRI-COMMODITIES AND HUMAN RIGHTS**

We understand the European Commission is currently developing policies regarding proposed revisions to the Renewable Energy Directive's biofuels scheme and proposals for an Action Plan (or other initiative) regarding deforestation and forest degradation, both of which squarely relate to the social and environmental impacts of EU trade in agricultural commodities.

For the purpose of supporting and enhancing DG Trade's deliberations on these policy matters, we wish to facilitate a dialogue regarding human rights, deforestation and sustainable EU trade between DG Trade and a delegation of indigenous and community leaders from areas linked to the EU by agricultural commodity supply chains, who will be visiting Europe at end of June.

**Background**

FPP and Both ENDS are European civil society organisations that work closely with Southern community leaders, indigenous peoples' representatives and human rights defenders around the world. Over the years we have facilitated meetings between these representatives and MEPs and

European Commission officials to discuss areas such as the impacts of conflict commodities, including palm oil and soy, on their human rights, communities, lands, forests and livelihoods and climate change.

In February 2018, Both ENDS and FPP supported a major indigenous and civil society forum and meetings involving 14 community leaders and human rights defenders from 11 agri-commodity producing countries (in Amsterdam, Brussels and London, known as the *Closing the Gap Forum*) that proposed concrete measures to improve sustainability in EU trade and imports of palm oil and other agricultural commodities like soybeans, beef, biofuels, pulp, paper and 'conversion' timber. Unfortunately you were not able to meet the international delegation at that time. We hope you will be able to meet with them in July.

### **Positive initiatives by and engagement with the EU and EC**

We are appreciative of the commitment you made at the launch of the Amsterdam Declarations on 7 December 2015, to introduce an Action Plan to eliminate deforestation from EU agricultural commodity supply chains. The adoption of the EU Trade for All Policy under your Directorate is likewise a positive initiative, in particular the important commitments made under this policy to respect human rights and promote sustainable development.

We and the delegates are genuinely grateful for the recent audiences with EU parliamentarians and EC policy makers from DG ENVI, DG DEVCO and the EU EEAS. During discussions, all of these decision-makers recommended that they meet with DG Trade but, as noted above, you and your team were not able to meet in Brussels in February.

### **Well-informed and balanced EU policy requires consultation with affected stakeholders**

We are confident that you share our analysis that robust and informed policy development requires consultation and participation of all concerned stakeholders. In the case of EU policy on agri-commodity trade, these stakeholders include indigenous community and civil society representatives from the production areas feeding EU supply chains. We therefore see mutual advantage in facilitating a meeting between DG Trade and indigenous community and civil society representatives for the purpose of enhancing DG Trade's policy development with testimonies of the on-the-ground reality of agri-commodity production linked with EU supply chains.

We understand that great diplomatic and political pressure is being brought to bear on the EU from producing countries – notably in the context of trade-related negotiations and proposed modifications to the Renewable Energy Directive biofuels scheme, who have in the past misrepresented their domestic agro-industries as socially and environmentally sustainable. It is vital that the voices of communities affected by EU trade are heard if DG Trade is to obtain a balanced and informed understanding of producer-country circumstances and the reality of associated social and environmental impacts.

At the same time, the Closing the Gap delegation are keen to discuss how existing EU trade policies and decisions can be upheld, such as those contained in the *EU Action Plan on Human Rights and Democracy* (2015-2019),<sup>ii</sup> the *Trade for All Policy*,<sup>iii</sup> the *New European Consensus for Development*,<sup>iv</sup> the *EU biodiversity targets and related global Aichi targets*,<sup>v</sup> and the *Council of the European Union Conclusions on Indigenous Peoples* (2017).<sup>vi</sup>

### **Request for a meeting with DG Trade – July 2018**

In the context of the ever-more urgent discourse on sustainability criteria and related measures, and the confused debate about trade discrimination, the Closing the Gap delegates can offer vital testimonies and advice that would assist the EU to charter a balanced and meaningful course for the immediate future.

Most of the Closing the Gap delegates will be in Europe as guests and participants at the RSPO European Round Table (Paris, 25-26 June 2018) and the Amsterdam Declarations Group Multi-Stakeholder Meeting (Paris, 27-28 June 2018). Consequently, the start of the first week of July presents an opportune moment for DG Trade to consult with the Closing the Gap delegation and we request a meeting with DG Trade for this purpose.

We look forward to your response.

Yours sincerely,



James Whitehead  
Director  
**Forest Peoples Programme**



Danielle Hirsch  
Director  
**Both ENDS**

---

<sup>i</sup> See *Human Rights defenders from all over the world visit EU to call for strong measures against deforestation*, 16 February 2018, at <http://www.bothends.org/en/News/Laatste-nieuws/newsitem/530/Human-Rights-defenders-from-all-over-the-world-visit-EU-to-call-for-strong-measures-against-deforestation->; see also *Call to Action from the Closing the Gap Forum – Amsterdam, 15 February 2018*, at <https://rightsanddeforestation.org/resources/call-to-action-from-the-closing-the-gap-forum-amsterdam-14-february-2018/>; see also *Indigenous and human rights defenders visiting the EU call for stronger rights protections in agro-commodity business and policies for deforestation-free trade and investment*, press release 15 February 2018, at <https://rightsanddeforestation.org/wp-content/uploads/2018/02/Press-Release-Indigenous-and-Human-Rights-Delegation-makes-statement-to-EU.pdf>; see also *Call to Action for greater human rights and land tenure protections in UK/EU business and trade*, press release 19 February 2018, at <https://rightsanddeforestation.org/wp-content/uploads/2018/02/Media-Advisory-Indigenous-Delegation-Makes-Call-to-Action-in-UK-and-EU-Business-Trade.pdf>.

<sup>ii</sup> Which commits the EU to “...implementing the entire human rights and democracy agenda as reflected in the 2012 Strategic Framework for Human Rights and Democracy”.

<sup>iii</sup> Which affirms that “The EU’s trade and investment policy must respond to consumers’ concerns by reinforcing corporate social responsibility initiatives and due diligence across the production chain with a focus on the respect of human rights...”.

<sup>iv</sup> Which pledges that “The EU and its Member States will promote the universal values of democracy, good governance, the rule of law and human rights for all...across the full range of partnerships and instruments in all situations...”.

<sup>v</sup> Which aim to ensure full respect for “the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources...” by 2020.

<sup>vi</sup> That commit to “...further develop EU policy in line with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Outcome document of the 2014 UN World Conference on Indigenous Peoples”.