Amendment 15
Malin Björk, Silvia Modig, Cornelia Ernst
on behalf of The Left Group

Report
Nicola Beer
Framework for ensuring a secure and sustainable supply of critical raw materials (COM(2023)0160 – C9-0061/2023 – 2023/0079(COD))

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

(9a) The Sámi people are the only recognised indigenous people of the Union. Projects planned and implemented pursuant to this Regulation must respect the rights of the Sámi people, in accordance with the Union and national laws and relevant international treaties.

Amendment

Or. en
Amendment 16
Malin Björk, Cornelia Ernst
on behalf of The Left Group

Report
Nicola Beer
Framework for ensuring a secure and sustainable supply of critical raw materials
(COM(2023)0160 – C9-0061/2023 – 2023/0079(COD))

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) In order to diversify the Union's supply of strategic raw materials, the Commission should, with the support of the Board, identify Strategic Projects in third countries that intend to become active in the extraction, processing or recycling of strategic raw materials. To ensure that such Strategic Projects are effectively implemented, they should benefit from improved access to finance. In order to ensure their added value, projects should be assessed against a set of criteria. Like projects in the Union, Strategic Projects in third countries should strengthen the Union's security of supply for strategic raw materials, show sufficient technical feasibility and be implemented sustainably. For projects in emerging markets and developing economies, the project should be mutually beneficial for the Union and the third country involved and add value in that country, taking into account also its consistency with the Union's common commercial policy. Such value may be derived from the project’s contribution to more than one stage of the value chain as well as from creating through the project wider economic and social benefits, including the creation of employment in compliance with international standards. Where the Commission assesses these criteria to be fulfilled, it should publish the recognition as a Strategic Project in a decision.

Amendment

(10) In order to diversify the Union's supply of strategic raw materials, the Commission should, with the support of the Board, and in cooperation with like-minded partners, identify Strategic Projects in third countries and in the overseas countries and territories referred to in Annex II to the TFEU that intend to become active in the extraction, processing or recycling of strategic raw materials. Such projects should respect international standards and conventions related to environmental protection and human and indigenous peoples' rights, and encourage the use of inclusive business models in which local communities participate in decision-making. To ensure that such Strategic Projects are effectively implemented, they should benefit from improved access to finance and de-risking mechanisms for investment. In order to ensure their added value and mutual benefits for the Union and third countries concerned, including for third countries where they are located, projects should be assessed against a set of criteria. Like projects in the Union, Strategic Projects in third countries should contribute to the strengthening of the Union's security of supply for strategic raw materials, show sufficient technical feasibility and be implemented sustainably using the framework of a sustainability certification scheme on raw materials recognised by
The project should be mutually beneficial for the Union and the third country involved. Where necessary, the Union will support third countries in reinforcing their legal framework, good governance capacity and transparency in the raw materials sector with the aim of making the raw material partnership a mutually beneficial situation, including for the local population. A project should add value in that country and in the case of developing and emerging countries, enable it to move up the value chain while taking into account also its consistency with the principles enshrined in the Treaties, the Union’s common commercial policy and strategic priorities as well as the principle of policy coherence for development laid down in Article 208 TFEU. Such value may be derived from the project’s contribution to more than one stage of the raw materials value chain as well as from creating through the project wider economic and social benefits, including the creation of employment in compliance with international standards of the International Labour Organization (ILO). Where the Commission assesses these criteria to be fulfilled, it should publish the recognition as a Strategic Project in a decision.
Amendment 17
Malin Björk, Cornelia Ernst
on behalf of the The Left Group

Report
Nicola Beer
Framework for ensuring a secure and sustainable supply of critical raw materials
(COM(2023)0160 – C9-0061/2023 – 2023/0079(COD))

Proposal for a regulation
Recital 49

*Text proposed by the Commission*

(49) Critical raw materials sold on the Union market are often certified regarding the sustainability of their production and supply chain. Certification can be obtained in the context of a broad range of public and private certification schemes available with varying scopes and stringency, creating the potential for confusion regarding the nature and veracity of claims made about the relative sustainability of critical raw materials placed on the Union market based on such certification. The Commission should be empowered to adopt implementing acts recognising certification schemes that should be considered comprehensive and trustworthy, providing a common basis for authorities and market participants for assessing the sustainability of critical raw materials. Recognition should be given only to certification schemes that cover a broad range of sustainability aspects, including environmental protection, human rights including indigenous peoples’ rights and labour rights, and business transparency, and which contain provisions for independent third party verification and monitoring of compliance. To ensure efficient procedures, promoters of projects applying to be recognised as Strategic Projects should be allowed to rely on participation in a recognised scheme to show that their project is implemented sustainably.

*Amendment*

(49) Critical raw materials sold on the Union market are often certified regarding the sustainability of their production and supply chain. Certification can be obtained in the context of a broad range of public and private certification schemes available with varying scopes and stringency, creating the potential for confusion regarding the nature and veracity of claims made about the relative sustainability of critical raw materials placed on the Union market based on such certification. The Commission should be empowered to adopt implementing acts recognising certification schemes that should be considered comprehensive and trustworthy, providing a common basis for authorities and market participants for assessing the sustainability of critical raw materials. Recognition should be given only to certification schemes that cover a broad range of sustainability aspects, including environmental protection related to air, soil, water and biodiversity, human rights including indigenous peoples’ rights and labour rights, governance considerations including business transparency and participation of local communities, which guarantee high sustainability standards, and which contain provisions for independent third party verification and monitoring of compliance. To ensure efficient procedures, promoters of projects applying
to be recognised as Strategic Projects should be allowed to rely on participation in a recognised scheme to show that their project is implemented sustainably.
Amendment 18
Malin Björk, Cornelia Ernst
on behalf of The Left Group

Report
Nicola Beer
Framework for ensuring a secure and sustainable supply of critical raw materials
(COM(2023)0160 – C9-0061/2023 – 2023/0079(COD))

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) the project would be implemented sustainably, in particular as regards the monitoring, prevention and minimisation of environmental impacts, the use of socially responsible practices including respect of human and labour rights, quality jobs potential and meaningful engagement with local communities and relevant social partners, and the use of transparent business practices with adequate compliance policies to prevent and minimise risks of adverse impacts on the proper functioning of public administration, including corruption and bribery;

Amendment

(c) the project would be implemented sustainably, in particular as regards the monitoring, prevention and minimisation of socio-environmental and climate impacts including but not limited to water, air and soil, the use of socially responsible practices including respect of human, indigenous peoples’ and labour rights, quality jobs potential and meaningful engagement with local communities and relevant social partners, and the use of transparent business practices with adequate compliance policies to prevent and minimise risks of adverse impacts on the proper functioning of public administration, including corruption and bribery as set out in Annex III;
Amendment 19
Cornelia Ernst, Malin Björk
on behalf of The Left Group

Report
Nicola Beer
Framework for ensuring a secure and sustainable supply of critical raw materials
(COM(2023)0160 – C9-0061/2023 – 2023/0079(COD))

Proposal for a regulation
Article 5 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 36 to amend Annex III in order to adapt the elements and evidence to be taken into account when assessing the fulfilment of the recognition criteria set out in paragraph 1 to technical and scientific progress or to take into account changes to the Union legislation or international instruments listed in Annex III, point 4, or the adoption of additional Union legislation or international instruments relevant for the fulfilment of the criterion referred to in paragraph 1, point (c).

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 36 to amend Annex III in order to adapt the elements and evidence to be taken into account when assessing the fulfilment of the recognition criteria set out in paragraph 1 to technical and scientific progress or to take into account changes to the Union legislation or international instruments listed in Annex III, point 4, or the adoption of additional Union legislation or international instruments relevant for the fulfilment of the criterion referred to in paragraph 1, point (c). The project promoter may support compliance with the criterion referred to in paragraph 1, point (c), through certification in a scheme or the commitment to fulfil such schemes at the time of project implementation, in accordance with Annex III, fifth paragraph. The Commission shall inform project promoters in the process of obtaining a Strategic Project permit as well as scheme owners of any delegated act adopted in accordance with Article 36 at the start of the objection period set in Article 36(4). Once the delegated act enters into force, the Commission shall inform project promoters and scheme owners thereof as well.

Or. en
11.9.2023

**Amendment 20**
**Malin Björk, Cornelia Ernst**
on behalf of The Left Group

**Report**
**Nicola Beer**
Framework for ensuring a secure and sustainable supply of critical raw materials
(COM(2023)0160 – C9-0061/2023 – 2023/0079(COD))

**Proposal for a regulation**
**Annex III – point 4 – point i a (new)**

*Text proposed by the Commission*

**(ia) International Covenant on the Civil and Political Rights.**

*Amendment*

Or. en