



2023/0079(COD)

12.6.2023

AMENDMENTS

42 - 281

Draft opinion
Miriam Lexmann
(PE749.074v01-00)

Establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) 168/2013, (EU) 2018/858, 2018/1724 and (EU) 2019/1020

Proposal for a regulation
(COM(2023)0160 – C9-0061/2023 – 2023/0079(COD))

Amendment 42
Anna Fotyga

Proposal for a regulation
Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) Strategy of ensuring a secure and sustainable supply of critical raw materials should be coherent with other EU's policies and strategies, in particular the EU's Strategic Compass on Security and Defence as well as those aimed at containment of Russia, future Ukraine's EU Membership, as well as focus on the Arctic, cooperation in the Indo-Pacific, Central Asia, Africa, European Maritime Security Strategy, Global Gateway and others.

Or. en

Amendment 43
Idoia Villanueva Ruiz

Proposal for a regulation
Recital 1

Text proposed by the Commission

Amendment

(1) Access to raw materials is essential for ***the Union economy and the functioning of the internal market***. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the

(1) Access to raw materials is ***becoming*** essential for ***all international actors in an increasing multipolar world order, where the tenants of multilateralism have been eroded over the past decades***. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical ***and strategic***. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase

background of rising geopolitical tensions **and** resource competition. Furthermore, if not managed properly, increased demand for critical raw materials **could** lead to negative environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials **to safeguard the Union's economic resilience and open strategic autonomy**.

exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the background of rising geopolitical tensions, **the fragmentation of power, the rise of new political actors, the decline of multilateralism and predatory** resource competition. Furthermore, if not managed properly, increased demand for critical raw materials **will** lead to **a scramble by both public and private international actors to seize and control the main sources and its consequent supply chains. The critical raw materials should be used in an environmental sustainable way and should not be in the hands of a few private companies. Additionally, critical raw materials should not in any way, shape or manner have negative human rights,** environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials **in order to advance the green transition in Europe and in the world**.

Or. en

Amendment 44

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) Access to raw materials is essential for the Union economy and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions,

Amendment

(1) Access to raw materials is essential for the Union economy and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. **Often, these third countries are ruled by non-democratic regimes and leverage their resources to**

and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the background of rising geopolitical tensions and resource competition. Furthermore, if not managed properly, increased demand for critical raw materials could lead to negative environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials to safeguard the Union's economic resilience **and open** strategic **autonomy**.

exert undue influence on the Union or even as coercive mechanisms against the Union. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for **security and** defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the background of rising geopolitical tensions and resource competition, ***both within the EU and with our strategic partners.*** Furthermore, if not managed properly, increased demand for critical raw materials could lead to negative environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials to safeguard the Union's economic resilience, ***security and long term*** strategic **goals**.

Or. en

Amendment 45

Anna Fotyga

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) Access to raw materials is essential for the **Union** economy and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply

Amendment

(1) ***Unhindered*** access to raw materials is essential for the ***Union's security and defence,*** economy and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk

disruptions is increasing against the background of rising geopolitical tensions and resource competition. Furthermore, if not managed properly, increased demand for critical raw materials could lead to negative environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials to safeguard the Union's economic resilience and *open* strategic *autonomy*.

of supply disruptions is increasing against the background of rising geopolitical tensions and resource competition. Furthermore, if not managed properly, increased demand for critical raw materials could lead to negative environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials to safeguard the Union's economic resilience and strategic *sufficiency in order to prevent Europe and our allies from being coerced*.

Or. en

Amendment 46 **Radosław Sikorski**

Proposal for a regulation **Recital 1**

Text proposed by the Commission

(1) Access to raw materials is essential for the *Union* economy and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the background of rising geopolitical tensions and resource competition. Furthermore, if not managed properly, increased demand for critical raw materials could lead to negative environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw

Amendment

(1) Access to raw materials is essential for the *Union's* economy, *security and defence, including the implementation of the EU's Strategic Compass*, and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the background of rising geopolitical tensions and resource competition. Furthermore, if not managed properly, increased demand for critical raw materials could lead to negative environmental and social impacts. Considering these trends, it is necessary to

materials to safeguard the Union's economic resilience and open strategic autonomy.

take measures to ensure access to a secure and sustainable supply of critical raw materials to safeguard the Union's economic resilience and open strategic autonomy.

Or. en

Amendment 47

Maria Arena

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) Access to raw materials is essential for the Union economy and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the background of rising geopolitical tensions and resource competition. Furthermore, if not managed properly, increased demand for critical raw materials **could** lead to negative environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials to safeguard the Union's economic resilience and open strategic autonomy.

Amendment

(1) Access to raw materials is essential for the Union economy and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the background of rising geopolitical tensions and resource competition. Furthermore, if not managed **and mitigated** properly, increased demand for critical raw materials **can** lead to negative environmental, **human rights**, and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials to safeguard the Union's economic resilience and open strategic autonomy.

Or. en

Amendment 48
Fabio Massimo Castaldo

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Access to raw materials is essential for the Union economy and the functioning of the internal market. There is a set of non-energy, non-agricultural raw materials that, due to their high economic importance and their exposure to high supply risk, often caused by a high concentration of supply from a few third countries, are considered critical. Given the key role of many such critical raw materials in realising the green and digital transitions, and in light of their use for defence and space applications, demand will increase exponentially in the coming decades. At the same time, the risk of supply disruptions is increasing against the background of rising geopolitical tensions and resource competition. Furthermore, if not managed properly, increased demand for critical raw materials could lead to negative environmental and social impacts. Considering these trends, it is necessary to take measures to ensure access to a secure and sustainable supply of critical raw materials to safeguard the Union's economic resilience and open strategic autonomy.

Amendment

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Or. en

Amendment 49
Idoia Villanueva Ruiz

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The European Union should ensure a secure, sustainable and fair

share of the supply of critical raw materials with the clear aim to reduce its dependency from third countries and actors. The securing of critical raw materials should have as its core aim to accelerate the green transition and to guarantee the Union's strategic autonomy. In light of the recent geopolitical crises - namely the Russian aggression against the Ukraine - it is a geopolitical priority for the EU to reduce both its energy and geopolitical dependency from third actors.

Or. en

Amendment 50

Anna Fotyga

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Given the complexity and the transnational character of critical raw material value chains, uncoordinated national measures to ensure a secure and sustainable supply of critical raw materials have a high potential of distorting competition and fragmenting the internal market. Therefore, to safeguard the functioning of the internal market, a common Union framework should be created to collectively address this central challenge.

Amendment

(2) Given the complexity and the transnational character of critical raw material value chains, ***security challenges facing many raw material suppliers as well as threats to transport, including to freedom of navigation***, uncoordinated national measures to ensure a secure and sustainable supply of critical raw materials have a high potential of distorting competition and fragmenting the internal market. Therefore, to safeguard the functioning of the internal market, a common Union framework should be created to collectively address this central challenge.

Or. en

Amendment 51

Idoia Villanueva Ruiz

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Given the complexity and the transnational character of critical raw material value chains, uncoordinated national measures to ensure a secure and sustainable supply of critical raw materials have a high potential of distorting competition and fragmenting the internal market. Therefore, ***to safeguard the functioning of the internal market***, a common ***Union*** framework ***should be created*** to collectively address this central challenge.

Amendment

(2) Given the complexity and the transnational character of critical raw material value chains, uncoordinated national measures to ensure a secure and sustainable supply of critical raw materials have a high potential of distorting competition and fragmenting the internal market. Therefore, ***the EU should create*** a common framework ***to pool resources, in order to*** to collectively address this central challenge.

Or. en

Amendment 52

Anna Fotyga

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) A new framework for ensuring a secure and sustainable supply of critical raw materials should take into account geopolitical developments and focus on like-minded partners as main suppliers and limiting or completely reducing dependency on actors that are recognised by the Union as adversaries, systemic rivals or as those who do not share the same vision of the rules based international order.

Or. en

Amendment 53

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nicola Beer

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) *Once the Union has created its common strategy and framework, it is necessary to have a structured dialogue with our strategic partners, especially the US, to share the needs analysis and mapping of resources and extraction of critical raw materials, to avoid a harmful race between partners, and, moreover, to pool capacity in obtaining mutually beneficial access to critical raw materials.*

Or. en

Amendment 54

Anna Fotyga

Proposal for a regulation

Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) *The Union should especially take into account the emerging threats posed by the Russian Federation by its full scale, unjustified aggression on Ukraine and attempts to destroy the rules-based international order, rivalry with China, threats posed by Iran as well as challenges to freedom of navigation and other factors that threaten our security, prosperity and future peaceful development.*

Or. en

Amendment 55

Maria Arena

Proposal for a regulation

Recital 3

(3) Firstly, in order to effectively ensure the Union's access to a secure and sustainable supply of critical raw materials, that framework should include measures to decrease the Union's growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing and recycling, towards benchmarks defined for each strategic raw material. Secondly, as the Union will continue to rely on imports, the framework should include measures to increase the diversification of external supplies of strategic raw materials. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union.

(3) Firstly, in order to effectively ensure the Union's access to a secure and sustainable supply of critical raw materials, that framework should include measures to decrease the Union's ***demand, dependence and*** growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing and recycling, towards benchmarks defined for each strategic raw material. Secondly, as the Union will continue to rely on imports, the framework should include measures to increase the diversification of external supplies of strategic raw materials. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, ***due to the Union's commitment to a just energy transition, the framework should be implemented based on principles of access to justice and the respect and guarantee of human rights, which should include the recognition of the highest environmental standards and the strengthening of effective citizen participation mechanisms, including grievance and reparation schemes. Fifthly,*** the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union ***and should envisage cooperation strategies to promote such measures in third countries.***

Or. en

Amendment 56

Anna Fotyga

Proposal for a regulation

Recital 3

(3) Firstly, in order to effectively ensure the Union's access to a secure and sustainable supply of critical raw materials, that framework should include measures to decrease the Union's growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing *and* recycling, towards benchmarks defined for each strategic raw material. Secondly, as the Union will continue to rely on imports, the framework should include measures to increase the diversification of external supplies of strategic raw materials. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union.

(3) Firstly, in order to effectively ensure the Union's access to a secure, ***unhindered*** and sustainable supply of critical raw materials, that framework should include measures to decrease the Union's ***vulnerability to*** growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing, recycling ***and transport infrastructure***, towards benchmarks defined for each strategic raw material ***and as a matter of priority, must reduce its dependence particularly on third countries such as Russia which are a direct threat to our security, or are recognised by the Union as systemic rivals such as the People's Republic of China.***

Secondly, as the Union will continue to rely on imports, the framework should include measures to increase the diversification of external supplies of strategic raw materials. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union.

Or. en

Amendment 57
Fabio Massimo Castaldo

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Firstly, in order to effectively ensure the Union's access to a secure and sustainable supply of critical raw materials,

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that framework should include measures to decrease the Union's growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing and recycling, towards benchmarks defined for each strategic raw material. Secondly, ***as the Union will continue to rely on imports***, the framework should include measures to increase the diversification of external supplies of strategic raw materials. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union.

that framework should include measures to decrease the Union's growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, ***refining***, processing and recycling, towards benchmarks defined for each strategic raw material. Secondly, the framework should include measures to increase the diversification of external supplies of strategic raw materials ***through the conclusion of preferential trade agreements with third countries***. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union, ***including reinforcing research and development of alternative materials and technical solutions as well as extraction, refinement, production and recycling processes***.

Or. en

Amendment 58 Idoia Villanueva Ruiz

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) Firstly, in order to effectively ensure the Union's access to a secure and sustainable supply of critical raw materials, that framework should include measures to decrease the Union's growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing and recycling, towards benchmarks defined for each strategic raw material. Secondly, as the Union will continue to rely on imports, the framework should include measures to

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(3) Firstly, in order to effectively ensure the Union's access to a secure and sustainable supply of critical raw materials, that framework should include measures to decrease the Union's ***dependence and*** growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing and recycling, towards benchmarks defined for each strategic raw material. Secondly, as the Union will continue to rely on imports,

increase the diversification of external supplies of strategic raw materials. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union.

the framework should include measures to increase the diversification of external supplies of strategic raw materials, ***and reduce its dependence namely with those third countries that have no regard for Human Rights***. Thirdly ***it*** is necessary to provide measures to reinforce the Union's ability to ***identify***, monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union.

Or. en

Amendment 59

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Firstly, in order to effectively ensure the Union's access to a secure and sustainable supply of critical raw materials, that framework should include measures to decrease the Union's growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing and recycling, towards benchmarks defined for each strategic raw material. Secondly, as the Union will continue to rely on imports, the framework should include measures to increase the diversification of external supplies of strategic raw materials. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw materials consumed in the Union.

Amendment

(3) Firstly, in order to effectively ensure the Union's access to a secure and sustainable supply of critical raw materials, that framework should include measures to decrease the Union's growing supply risks by strengthening Union capacities along all stages of the strategic raw materials value chain, including extraction, processing and recycling, towards benchmarks defined for each strategic raw material. Secondly, as the Union will continue to rely on imports, the framework should include measures to increase the diversification of external supplies of strategic raw materials, ***and derisking from China, as its regime poses a great long-term risk for the EU***. Thirdly, is necessary to provide measures to reinforce the Union's ability to monitor and mitigate existing and future supply risks. Fourthly, the framework should contain measures to increase the circularity and sustainability of the critical raw

Amendment 60
Miriam Lexmann

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) In order to ensure that the measures set out in the Regulation focus on the most relevant materials, a list of strategic raw materials and a list of critical raw materials should be established. Those lists should also serve to guide and coordinate Member States' efforts to contribute to the realisation of the aims of this Regulation. The list of strategic raw materials should contain raw materials that are of high strategic importance, taking into account their use in strategic technologies underpinning the green and digital transitions or for defence or space applications, that are characterised by a potentially significant gap between global supply and projected demand, and for which an increase in production is relatively difficult, for instance due to long lead-times for new projects increasing supply capacity. To take account of possible technological and economic changes, the list of strategic materials should be periodically reviewed and, if necessary, updated. In order to ensure that efforts to increase the Union capacities along the value chain, reinforce the Union's capacity to monitor and mitigate supply risks and increase diversification of supply are focused on the materials for which they are most needed, the relevant measures should only apply to the list of strategic raw materials.

Amendment

(4) In order to ensure that the measures set out in the Regulation focus on the most relevant materials, a list of strategic raw materials and a list of critical raw materials should be established. Those lists should also serve to guide and coordinate Member States' efforts to contribute to the realisation of the aims of this Regulation. The list of strategic raw materials should contain raw materials that are of high strategic importance, taking into account their use in strategic technologies underpinning the green and digital transitions or for defence or space applications, that are characterised by a potentially significant gap between global supply and projected demand, and for which an increase in production is relatively difficult, for instance due to long lead-times for new projects increasing supply capacity. To take account of possible technological and economic changes, the list of strategic materials should be periodically reviewed and, if necessary, updated. ***The assessment should take into account not only the latest available data but the forecasted evolution of demand-supply over an appropriate reference period, to address possible future scarcity or supply disruption.*** In order to ensure that efforts to increase the Union capacities along the value chain, reinforce the Union's capacity to monitor and mitigate supply risks and increase diversification of supply are focused on the materials for which they are

most needed, the relevant measures should only apply to the list of strategic raw materials.

Or. en

Amendment 61

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Nathalie Loiseau

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In order to ensure that the measures set out in the Regulation focus on the most relevant materials, a list of strategic raw materials and a list of critical raw materials should be established. Those lists should also serve to guide and coordinate Member States' efforts to contribute to the realisation of the aims of this Regulation. The list of strategic raw materials should contain raw materials that are of high strategic importance, taking into account their use in strategic technologies underpinning the green and digital transitions or for defence or space applications, that are characterised by a potentially significant gap between global supply and projected demand, and for which an increase in production is relatively difficult, for instance due to long lead-times for new projects increasing supply capacity. To take account of possible technological and economic changes, the list of strategic materials should be periodically reviewed and, if necessary, updated. In order to ensure that efforts to increase the Union capacities along the value chain, reinforce the Union's capacity to monitor and mitigate supply risks and increase diversification of supply are focused on the materials for which they are most needed, the relevant measures should only apply to the list of strategic raw materials.

Amendment

(4) In order to ensure that the measures set out in the Regulation focus on the most relevant materials, a list of strategic raw materials and a list of critical raw materials should be established. Those lists should also serve to guide and coordinate Member States' efforts to contribute to the realisation of the aims of this Regulation. The list of strategic raw materials should contain raw materials that are of high strategic importance, taking into account their use in strategic technologies underpinning the green and digital transitions or for defence or space applications, that are characterised by a potentially significant gap between global supply and projected demand, and for which an increase in production is relatively difficult, for instance due to long lead-times for new projects increasing supply capacity. To take account of possible technological and economic changes, the list of strategic materials should be periodically reviewed and, if necessary, updated. In order to ensure that efforts to increase the Union capacities along the value chain, reinforce the Union's capacity to monitor and mitigate supply risks and increase diversification of supply are focused on the materials for which they are most needed, the relevant measures should only apply to the list of strategic **and critical** raw materials.

Amendment 62**Idoia Villanueva Ruiz****Proposal for a regulation****Recital 5***Text proposed by the Commission*

(5) The list of critical raw materials should contain all strategic raw materials as well as any other raw materials of high importance for the **overall Union economy** and for which there is a high risk of supply disruption. To take account of possible technological and economic changes, the Commission should, in continuation of current practice, periodically perform an assessment based on data for production, trade, applications, recycling, and substitution for a wide range of raw materials to update the lists of critical and strategic raw materials reflecting the evolution in the economic importance and supply risk associated with those raw materials. The list of critical raw materials should include those raw materials which reach or exceed the thresholds for both economic importance and supply risk, without ranking the relevant raw materials in terms of criticality. This assessment should be based on an average of the latest available data over a 5-year-period. The measures set out in this Regulation related to one stop shop for permitting, planning, exploration, monitoring, circularity, and sustainability should apply to all critical raw materials.

Amendment

(5) The list of critical raw materials should contain all strategic raw materials as well as any other raw materials of high importance for the **EU's aims to reduce both geopolitical and energy dependency** and for which there is a high risk of supply disruption. To take account of possible technological and economic changes, the Commission should, in continuation of current practice, periodically perform an assessment based on data for production, trade, applications, recycling, and substitution for a wide range of raw materials to update the lists of critical and strategic raw materials reflecting the evolution in the economic importance and supply risk associated with those raw materials. The list of critical raw materials should include those raw materials which reach or exceed the thresholds for both economic importance and supply risk, without ranking the relevant raw materials in terms of criticality. This assessment should be based on an average of the latest available data over a 5-year-period. The measures set out in this Regulation related to one stop shop for permitting, planning, exploration, monitoring, circularity, and sustainability should apply to all critical raw materials.

Amendment 63**Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau**

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The list of critical raw materials should contain all strategic raw materials as well as any other raw materials of high importance for the overall Union economy and for which there is a high risk of supply disruption. To take account of possible technological and economic changes, the Commission should, in continuation of current practice, periodically perform an assessment based on data for production, trade, applications, recycling, and substitution for a wide range of raw materials to update the lists of critical and strategic raw materials reflecting the evolution in the economic importance and supply risk associated with those raw materials. The list of critical raw materials should include those raw materials which reach or exceed the thresholds for both economic importance and supply risk, without ranking the relevant raw materials in terms of criticality. This assessment should be based on an average of the latest available data over a 5-year-period. The measures set out in this Regulation related to one stop shop for permitting, planning, exploration, monitoring, circularity, and sustainability should apply to all critical raw materials.

Amendment

(5) The list of critical raw materials should contain all strategic raw materials as well as any other raw materials of high importance for the overall Union economy and for which there is a high risk of supply disruption, ***naturally or intentionally***. To take account of possible technological and economic changes, the Commission should, in continuation of current practice, periodically perform an assessment based on data for production, trade, applications, recycling, and substitution for a wide range of raw materials to update the lists of critical and strategic raw materials reflecting the evolution in the economic importance and supply risk associated with those raw materials. The list of critical raw materials should include those raw materials which reach or exceed the thresholds for both economic importance and supply risk, without ranking the relevant raw materials in terms of criticality. This assessment should be based on an average of the latest available data over a 5-year-period. The measures set out in this Regulation related to one stop shop for permitting, planning, exploration, monitoring, circularity, and sustainability should apply to all critical raw materials.

Or. en

Amendment 64

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Nathalie Loiseau

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The list of critical raw materials should contain all strategic raw materials

Amendment

(5) The list of critical raw materials should contain all strategic raw materials

as well as any other raw materials of high importance for the overall Union economy and for which there is a high risk of supply disruption. To take account of possible technological and economic changes, the Commission should, in continuation of current practice, periodically perform an assessment based on data for production, trade, applications, recycling, and substitution for a wide range of raw materials to update the lists of critical and strategic raw materials reflecting the evolution in the economic importance and supply risk associated with those raw materials. The list of critical raw materials should include those raw materials which reach or exceed the thresholds for both economic importance and supply risk, without ranking the relevant raw materials in terms of criticality. This assessment should be based on an average of the latest available data over a 5-year-period. The measures set out in this Regulation related to one stop shop for permitting, planning, exploration, monitoring, circularity, and sustainability should apply to all critical raw materials.

as well as any other raw materials of high importance for the overall Union economy and for which there is a high risk of supply disruption. To take account of possible technological and economic changes, the Commission should, in continuation of current practice, periodically perform an assessment based on data for production, trade, applications, recycling, and substitution for a wide range of raw materials to update the lists of critical and strategic raw materials reflecting the evolution in the economic importance and supply risk associated with those raw materials. The list of critical raw materials should include those raw materials which reach or exceed the thresholds for both economic importance and supply risk, without ranking the relevant raw materials in terms of criticality. This assessment should be based on an average of the latest available data over a 2-year-period. The measures set out in this Regulation related to one stop shop for permitting, planning, exploration, monitoring, circularity, and sustainability should apply to all critical raw materials.

Or. en

Amendment 65

Maria Arena

Proposal for a regulation

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) The General Union Environment Action Programme to 2030 (8th EAP) calls for significantly decreasing the Union's material and consumption footprints to bring them within planetary boundaries as soon as possible and by 2050 at the latest. This framework should mitigate the expected increase in the consumption of critical raw materials compared to a baseline scenario, without

Amendment 66
Fabio Massimo Castaldo

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) To strengthen Union capacities along the strategic raw materials value chain, benchmarks should be set to guide efforts and track progress. The aim should be to increase capacities for each strategic raw material at each stage of the value chain, while aiming to achieve overall capacity benchmarks for extraction, processing and recycling of strategic raw materials. Firstly, the Union should increase the use of its own geological resources of strategic raw materials and build up capacity to allow it to extract the materials needed to produce at least 10 % of the Union's consumption of strategic raw materials. Keeping in mind that extraction capacity is highly dependent on the availability of Union geological resources, the achievement of this benchmark is dependent on such availability. Secondly, in order to build a full value chain and prevent any bottlenecks at intermediate stages, the Union should in addition increase its processing capacity along the value chain and be able to produce at least 40 % of its annual consumption of strategic raw materials. Thirdly, it is expected that in the coming decades a growing share of the Union's consumption of strategic raw materials can be covered by secondary raw materials, which would improve both the security and the sustainability of the Union's raw materials supply. Therefore, Union recycling capacity should be able to

Amendment

(6) To strengthen Union capacities along the strategic raw materials value chain, benchmarks should be set to guide efforts and track progress. The aim should be to increase capacities for each strategic raw material at each stage of the value chain, while aiming to achieve overall capacity benchmarks for extraction, processing and recycling of strategic raw materials. Firstly, the Union should increase the use of its own geological resources of strategic raw materials and build up capacity to allow it to extract the materials needed to produce at least 10 % of the Union's consumption of strategic raw materials. Keeping in mind that extraction capacity is highly dependent on the availability of Union geological resources, the achievement of this benchmark is dependent on such availability. Secondly, in order to build a full value chain and prevent any bottlenecks at intermediate stages, the Union should in addition increase its processing capacity along the value chain and be able to produce at least 40 % of its annual consumption of strategic raw materials. Thirdly, it is expected that in the coming decades a growing share of the Union's consumption of strategic raw materials can be covered by secondary raw materials, which would improve both the security and the sustainability of the Union's raw materials supply. Therefore, Union recycling capacity should be able to

produce at least **15 %** of the Union's annual consumption of strategic raw materials. These benchmarks refer to the 2030 time horizon, in alignment with the Union's climate and energy targets set under Regulation (EU) 2021/1119 of the European Parliament and of the Council²⁹ and the digital targets under the Digital Decade³⁰, which they underpin. Furthermore, quality jobs, including skills development and job-to-job transitions, will address risks in the sectoral labour market and help ensure the EU's competitiveness.

produce at least **10% for each strategic raw material as well as 25 %** of the Union's annual **aggregated** consumption of strategic raw materials. These benchmarks refer to the 2030 time horizon, in alignment with the Union's climate and energy targets set under Regulation (EU) 2021/1119 of the European Parliament and of the Council²⁹ and the digital targets under the Digital Decade³⁰, which they underpin. Furthermore, quality jobs, including skills development and job-to-job transitions, will address risks in the sectoral labour market and help ensure the EU's competitiveness.

²⁹ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (OJ L 243, 9.7.2021, p. 1).

³⁰ Decision (EU) 2022/2481 of the European Parliament and of the Council of 14 December 2022 establishing the Digital Decade Policy Programme 2030 (OJL 323, 19.12.2022, p. 4–26)

²⁹ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (OJ L 243, 9.7.2021, p. 1).

³⁰ Decision (EU) 2022/2481 of the European Parliament and of the Council of 14 December 2022 establishing the Digital Decade Policy Programme 2030 (OJL 323, 19.12.2022, p. 4–26)

Or. en

Amendment 67

Anna Fotyga

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) To strengthen Union capacities along the strategic raw materials value chain, benchmarks should be set to guide efforts and track progress. The aim should be to increase capacities for each strategic raw material at each stage of the value chain, while aiming to achieve overall capacity benchmarks for extraction,

Amendment

(6) To strengthen Union capacities along the strategic raw materials value chain, benchmarks should be set to guide efforts and track progress. The aim should be to increase capacities for each strategic raw material at each stage of the value chain, while aiming to achieve overall capacity benchmarks for extraction,

processing and recycling of strategic raw materials. Firstly, the Union should increase the use of its own geological resources of strategic raw materials and build up capacity to allow it to extract the materials needed to produce at least 10 % of the Union's consumption of strategic raw materials. Keeping in mind that extraction capacity is highly dependent on the availability of Union geological resources, the achievement of this benchmark is dependent on such availability. Secondly, in order to build a full value chain and prevent any bottlenecks at intermediate stages, the Union should in addition increase its processing capacity along the value chain and be able to produce at least 40 % of its annual consumption of strategic raw materials. Thirdly, it is expected that in the coming decades a growing share of the Union's consumption of strategic raw materials can be covered by secondary raw materials, which would improve both the security and the sustainability of the Union's raw materials supply. Therefore, Union recycling capacity should be able to produce at least 15 % of the Union's annual consumption of strategic raw materials. These benchmarks refer to the 2030 time horizon, in alignment with the Union's climate and energy targets set under Regulation (EU) 2021/1119 of the European Parliament and of the Council²⁹ and the digital targets under the Digital Decade³⁰, which they underpin. Furthermore, quality jobs, including skills development and job-to-job transitions, will address risks in the sectoral labour market and help ensure the EU's competitiveness.

²⁹ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (OJ L 243, 9.7.2021,

transport, processing and recycling of strategic raw materials. Firstly, the Union should increase the use of its own geological resources of strategic raw materials and build up capacity to allow it to extract the materials needed to produce at least 10 % of the Union's consumption of strategic raw materials. Keeping in mind that extraction capacity is highly dependent on the availability of Union geological resources, the achievement of this benchmark is dependent on such availability. Secondly, in order to build a full value chain and prevent any bottlenecks at intermediate stages, the Union should in addition increase its processing capacity along the value chain and be able to produce at least 40 % of its annual consumption of strategic raw materials. Thirdly, it is expected that in the coming decades a growing share of the Union's consumption of strategic raw materials can be covered by secondary raw materials, which would improve both the security and the sustainability of the Union's raw materials supply. Therefore, Union recycling capacity should be able to produce at least 15 % of the Union's annual consumption of strategic raw materials. These benchmarks refer to the 2030 time horizon, in alignment with the Union's climate and energy targets set under Regulation (EU) 2021/1119 of the European Parliament and of the Council²⁹ and the digital targets under the Digital Decade³⁰, which they underpin. Furthermore, quality jobs, including skills development and job-to-job transitions, will address risks in the sectoral labour market and help ensure the EU's competitiveness.

²⁹ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (OJ L 243, 9.7.2021,

p. 1).

³⁰ Decision (EU) 2022/2481 of the European Parliament and of the Council of 14 December 2022 establishing the Digital Decade Policy Programme 2030 (OJL 323, 19.12.2022, p. 4–26)

p. 1).

³⁰ Decision (EU) 2022/2481 of the European Parliament and of the Council of 14 December 2022 establishing the Digital Decade Policy Programme 2030 (OJL 323, 19.12.2022, p. 4–26)

Or. en

Amendment 68

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) For some raw materials, the Union is almost fully dependent on a single country for its supply. Such dependencies entail a high risk of supply disruptions. To limit such *potential risk* and increase the Union's economic resilience, efforts should be undertaken to ensure that, by 2030, it is not dependent on a single third country for more than 65% of its supply of any strategic raw material, unprocessed and at any stage of processing, *giving however special consideration to countries with whom the Union has established a Strategic Partnership on raw materials giving rise to greater assurances regarding supply risks.*

Amendment

(7) For some raw materials, the Union is almost fully dependent on a single country for its supply. Such dependencies entail a high risk of supply disruptions. *Likewise, a large number of strategic raw materials are sourced from countries in which mining is linked to serious human rights abuses, the deterioration of governance, conflicts, and environmental destruction.* To limit such *adverse effects* and increase the Union's economic resilience, efforts should be undertaken to ensure that, by 2030, it is not dependent on a single third country for more than 65% of its supply of any strategic raw material, unprocessed and at any stage of processing, *and has implemented autonomous and collaborative measures to mitigate the risk of human rights abuses and environmental destruction in the raw material supply chain, including via the use of Strategic Partnerships.*

Or. en

Amendment 69

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani,

Nathalie Loiseau

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) For some raw materials, the Union is almost fully dependent on a single country for its supply. Such dependencies entail a high risk of supply disruptions. To limit such potential risk and increase the Union's economic resilience, efforts should be undertaken to ensure that, by 2030, it is not dependent on a single third country for more than **65%** of its supply of any strategic raw material, unprocessed and at any stage of processing, giving however special consideration to countries with whom the Union has established a Strategic Partnership on raw materials giving rise to greater assurances regarding supply risks.

Amendment

(7) For some raw materials, the Union is almost fully dependent on a single country for its supply. Such dependencies entail a high risk of supply disruptions. To limit such potential risk and increase the Union's economic resilience, efforts should be undertaken to ensure that, by 2030, it is not dependent on a single third country for more than **45%** of its supply of any strategic raw material, unprocessed and at any stage of processing, giving however special consideration to countries with whom the Union has established a Strategic Partnership on raw materials giving rise to greater assurances regarding supply risks. ***Furthermore, dependencies should be gradually reduced and brought to a minimum when they tie us to non-democratic countries who actively challenge the rules-based international system.***

Or. en

Amendment 70

Fabio Massimo Castaldo

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) For some raw materials, the Union is almost fully dependent on a single country for its supply. Such dependencies entail a high risk of supply disruptions. To limit such potential risk and increase the Union's economic resilience, efforts should be undertaken to ensure that, by 2030, it is not dependent on a single third country for more than **65%** of its supply of any

Amendment

(7) For some raw materials, the Union is almost fully dependent on a single country for its supply. Such dependencies entail a high risk of supply disruptions. To limit such potential risk and increase the Union's economic resilience, efforts should be undertaken to ensure that, by 2030, it is not dependent on a single third country for more than **60%** of its supply of any

strategic raw material, unprocessed and at any stage of processing, giving however special consideration to countries with whom the Union has established a Strategic Partnership on raw materials giving rise to greater assurances regarding supply risks.

strategic raw material, unprocessed and at any stage of processing, giving however special consideration to countries with whom the Union has established a Strategic Partnership on raw materials giving rise to greater assurances regarding supply risks.

Or. en

Amendment 71

Jordi Solé

on behalf of the Verts/ALE Group

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

Amendment

(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, ***taking into account that in the past for a majority of resource-rich developing countries, mining, oil or gas exploitation has not translated into broader-based economic, human and social development***. Like projects in the Union, ***all*** 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, ***in compliance with due diligence processes as defined by EU legislation and OECD Guidelines for Multinational Enterprises and Due Diligence Guidance for Responsible Business Conduct and Responsible Supply Chains of Minerals from conflict-affected and high-risk***

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.

areas, addressing adverse impacts on human rights and environmental, rule of law and good governance, as well as the FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests, where land tenure rights are concerned . 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 *that for mineral-rich developing countries, realising the full potential of the mining sector as a catalyst for sustainable development is fraught with many challenges, which includes i.a.: the finite nature of mineral deposits; the “enclave” nature of the extractive industry, with few links to the local economy; the volatility in commodity prices; limited national capacities, which leaves ill-equipped national administrations vulnerable to large multinational companies; corruption and conflicting stakeholders interests*. Such value may be derived from the project’s contribution to more than one stage of the *whole* value chain, *including raw material processing*, as well as from creating through the project wider economic and social benefits, including the creation of employment in compliance with international standards, *notably the core labour standards of the International Labour Organisation, as well as the right to the free, prior, and informed consent of Indigenous peoples and local communities, in line with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169 on Indigenous and Tribal Peoples*. Where the Commission assesses these criteria to be fulfilled, it should publish the recognition as a Strategic Project in a decision.

Or. en

Amendment 72

Maria Arena

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, 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 **and are mutually beneficial, third countries** should benefit from improved access to finance, **and knowledge and technology transfer mechanisms**. 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 **and with full respect for human rights and the environment, based on rigorous environmental and social impact assessments, and the implementation of due-diligence principles**. 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 **human rights international law, relevant international agreements and conventions, including the Paris Agreement**, and 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, **as well as ensuring that the project does not**

impact other key sectors and activities.

Where the Commission assesses these criteria to be fulfilled, it should publish the recognition as a Strategic Project in a decision.

Or. en

Amendment 73

Anna Fotyga

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

Amendment

(10) In order to diversify the Union's supply of strategic raw materials, the ***EU should cooperate closely with Member States and like-minded partners, as well as other institutions and forums such as NATO, G7 and EFTA Members; the*** Commission with the support of the Board, ***should*** identify Strategic Projects in third countries that intend to become active in the extraction, ***transport***, 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

recognition as a Strategic Project in a decision.

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.

Or. en

Amendment 74

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The definition of mutually beneficial partnership with third countries entails, in particular for low-income resource-rich countries, to breaking away from the enclave nature and extractivist model of the mining sector and to afford developing countries sufficient policy space facilitate knowledge and technology, local value addition by facilitating the manufacturing of finished and semi-finished goods in relevant downstream industries, economic and social development in partner countries, as well as the uptake of environmentally sustainable and circular economy practices and decent working conditions.

Or. en

Amendment 75

Maria Arena

Proposal for a regulation

Recital 11

Text proposed by the Commission

Amendment

(11) In order to ensure the sustainability

(11) In order to ensure the ***social and***

of increased raw material production, new raw materials projects should be implemented sustainably. To that end, the Strategic Projects receiving support under this Regulation should be assessed taking into account international instruments covering all aspects of sustainability highlighted in the EU principles for sustainable raw materials³¹, including ensuring environmental protection, socially responsible practices, including respect for human rights such as the rights of women, and transparent business practices. Projects should also ensure engagement in good faith as well as comprehensive and meaningful consultations with local communities, including with indigenous peoples. To provide project promoters with a clear and efficient way of complying with this criterion, compliance with relevant Union legislation, international standards, guidelines and principles ***or participation in a certification scheme recognised under this Regulation*** should be ***considered sufficient***.

³¹ European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, EU principles for sustainable raw materials, Publications Office, 2021, <https://data.europa.eu/doi/10.2873/27875>

environmental sustainability of increased raw material production, new raw materials projects should be implemented sustainably ***and ensure the respect of human rights in the EU and in third countries with which projects and/or strategic partnerships are undertaken through corporate accountability mechanisms***. To that end, the Strategic Projects receiving support under this Regulation should be assessed taking into account international instruments covering all aspects of sustainability highlighted in the EU principles for sustainable raw materials³¹, including ensuring environmental protection, socially responsible practices, including respect for human rights such as the rights of women, and ***children***, transparent business practices. Projects should also ensure engagement in good faith as well as comprehensive and meaningful ***prior*** consultations with local communities, including with indigenous peoples, ***by respecting their right to free, prior and informed consent***. To provide project promoters with a clear and efficient way of complying with this criterion, ***criteria for*** compliance with relevant Union legislation, international standards, guidelines and principles ***should be detailed in an Annex. In order to ensure that Strategic Projects are implemented in a sustainable manner and respect human rights, a dedicated sub-group of the Board bringing together experts from the Member States and the Commission as well as relevant stakeholders*** should be ***set up to monitor and address potential shortcomings regarding these aspects***.

³¹ European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, EU principles for sustainable raw materials, Publications Office, 2021, <https://data.europa.eu/doi/10.2873/27875>

Or. en

Amendment 76

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau, Nicola Beer

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) In order to ensure the sustainability of increased raw material production, new raw materials projects should be implemented sustainably. To that end, the Strategic Projects receiving support under this Regulation should be assessed taking into account international instruments covering all aspects of sustainability highlighted in the EU principles for sustainable raw materials³¹, including ensuring environmental protection, socially responsible practices, including respect for human rights such as the rights of women, and transparent business practices. Projects should also ensure engagement in good faith as well as comprehensive and meaningful consultations with local communities, including with indigenous peoples. To provide project promoters with a clear and efficient way of complying with this criterion, compliance with relevant Union legislation, international standards, guidelines and principles or participation in a certification scheme recognised under this Regulation should be considered sufficient.

³¹ European Commission, Directorate-General for Internal Market, Industry,

Amendment

(11) In order to ensure the sustainability of increased raw material production, new raw materials projects should be implemented sustainably. To that end, the Strategic Projects receiving support under this Regulation should be assessed taking into account international instruments covering all aspects of sustainability highlighted in the EU principles for sustainable raw materials³¹, including ensuring environmental protection, socially responsible practices, including respect for human rights such as the rights of women, and transparent business practices. Projects should also ensure engagement in good faith as well as comprehensive, ***pragmatic*** and meaningful consultations with local communities, including with indigenous peoples. To provide project promoters with a clear and efficient way of complying with this criterion, compliance with relevant Union legislation, international standards, guidelines and principles or participation in a certification scheme recognised under this Regulation should be considered sufficient. ***The project promoters should have a deep understanding of the country they are negotiating with, build a relationship with the local communities and truly understand their needs, input and output to the project. The EU needs to build long-term partnerships that go beyond the sole purpose of accessing raw materials, but create diplomatic ties in a deeply polarized geopolitical context.***

³¹ European Commission, Directorate-General for Internal Market, Industry,

Or. en

Amendment 77
Fabio Massimo Castaldo

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) In order to ensure the sustainability of increased raw material production, new raw materials projects should be implemented sustainably. To that end, the Strategic Projects receiving support under this Regulation should be assessed taking into account international instruments covering all aspects of sustainability highlighted in the EU principles for sustainable raw materials³¹, including ensuring environmental protection, socially responsible practices, including respect for human rights such as the rights of women, and transparent business practices. Projects should also ensure engagement in good faith as well as comprehensive and meaningful consultations with local communities, including with indigenous peoples. To provide project promoters with a clear and efficient way of complying with this criterion, compliance with relevant Union legislation, international standards, guidelines and principles or participation in a certification scheme recognised under this Regulation should be considered sufficient.

³¹ European Commission, Directorate-

Amendment

(11) In order to ensure the sustainability of increased raw material production, new raw materials projects should be implemented sustainably ***in accordance with the ‘do no significant harm’ principle within the meaning of Article 17 of Regulation (EU) 2020/852***. To that end, the Strategic Projects receiving support under this Regulation should be assessed taking into account international instruments covering all aspects of sustainability highlighted in the EU principles for sustainable raw materials³¹, including ensuring environmental protection, socially responsible practices, including respect for human rights such as the rights of women, and transparent business practices. Projects should also ensure engagement in good faith as well as comprehensive and meaningful consultations with local communities, including with indigenous peoples. To provide project promoters with a clear and efficient way of complying with this criterion, compliance with relevant Union legislation, international standards, guidelines and principles or participation in a certification scheme recognised under this Regulation should be considered sufficient.

³¹ European Commission, Directorate-

Amendment 78
Idoia Villanueva Ruiz

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) In order to ensure the sustainability of increased raw material production, new raw materials projects should be implemented sustainably. To that end, the Strategic Projects receiving support under this Regulation should be assessed taking into account international instruments covering all aspects of sustainability highlighted in the EU principles for sustainable raw materials³¹, including ensuring environmental protection, socially responsible practices, including respect for human rights such as the rights of women, and transparent business practices. Projects should also ensure engagement in good faith as well as comprehensive and meaningful consultations with local communities, **including** with indigenous peoples. To provide project promoters with a clear and efficient way of complying with this criterion, compliance with relevant Union legislation, international standards, guidelines and principles or participation in a certification scheme recognised under this Regulation should be considered sufficient.

³¹ European Commission, Directorate-

Amendment

(11) In order to ensure the sustainability of increased raw material production, new raw materials projects should be implemented sustainably. To that end, the Strategic Projects receiving support under this Regulation should be assessed taking into account international instruments covering all aspects of sustainability highlighted in the EU principles for sustainable raw materials³¹, including ensuring environmental protection, socially responsible practices, including **the respect and upholding** for human rights such as the rights of women, **children and LGBTQI people**, and transparent business practices. Projects should also ensure engagement in good faith as well as comprehensive and meaningful consultations with local communities, **especially** with indigenous peoples. To provide project promoters with a clear and efficient way of complying with this criterion, compliance with relevant Union legislation - **including the Directive on Corporate Sustainable Due Diligence** -, international standards, guidelines and principles or participation in a certification scheme recognised under this Regulation should be considered sufficient.

³¹ European Commission, Directorate-

Or. en

Amendment 79

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Any promoter of a strategic raw materials project should be able to apply to the Commission for the recognition of their project as a Strategic Project. The application should include several documents and evidence related to the criteria. To better assess the social, environmental and economic viability, the feasibility of the project as well as the level of confidence in the estimates, the project promoter should also provide a classification of the project according to the United Nations Framework Classification for Resources, and to allow for objective validation, they should support this classification with relevant evidence. A timetable for the project should also be attached to an application, in order to estimate when the project would be able to contribute towards the benchmarks for domestic capacity or for diversification. As public acceptance of mining projects is crucial for their effective implementation, the promoter should also provide a plan containing measures to **facilitate** public **acceptance**. Special attention should be paid to social partners, civil society and other oversight actors. The promoter should also provide a business plan providing information regarding the project's financial viability

Amendment

(12) Any promoter of a strategic raw materials project should be able to apply to the Commission for the recognition of their project as a Strategic Project. The application should include several documents and evidence related to the criteria. To better assess the social, environmental and economic viability, the feasibility of the project as well as the level of confidence in the estimates, the project promoter should also provide a classification of the project according to the United Nations Framework Classification for Resources, and to allow for objective validation, they should support this classification with relevant evidence. A timetable for the project should also be attached to an application, in order to estimate when the project would be able to contribute towards the benchmarks for domestic capacity or for diversification. As public acceptance of mining projects is crucial for their effective implementation, the promoter should also provide a plan containing measures to **ensure public participation. This is also valid for projects in third countries, where the respect of the Free, Prior and Informed Consent (FPIC) of local communities and indigenous people is of primary importance.** . Special attention

and giving an overview of funding and off-take agreements already secured as well as estimates for potential job creation and for the project's needs in terms of skilled workforce, including upskilling and reskilling.

should be paid to social partners, civil society and other oversight actors. The promoter should also provide a business plan providing information regarding the project's financial viability and giving an overview of funding and off-take agreements already secured as well as estimates for potential job creation and for the project's needs in terms of skilled workforce, including upskilling and reskilling.

Or. en

Amendment 80

Maria Arena

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Any promoter of a strategic raw materials project should be able to apply to the Commission for the recognition of their project as a Strategic Project. The application should include several documents and evidence related to the criteria. To better assess the social, environmental and economic viability, the feasibility of the project as well as the level of confidence in the estimates, the project promoter should also provide a classification of the project according to the United Nations Framework Classification for Resources, and to allow for objective validation, they should support this classification with relevant evidence. A timetable for the project should also be attached to an application, in order to estimate when the project would be able to contribute towards the benchmarks for domestic capacity or for diversification. As public acceptance of mining projects is crucial for their effective implementation, the promoter should also provide a plan containing measures to *facilitate* public *acceptance*. Special

Amendment

(12) Any promoter of a strategic raw materials project should be able to apply to the Commission for the recognition of their project as a Strategic Project. The application should include several documents and evidence related to the criteria. To better assess the social, environmental and economic viability, the feasibility of the project as well as the level of confidence in the estimates, the project promoter should also provide a classification of the project according to the United Nations Framework Classification for Resources, and to allow for objective validation, they should support this classification with relevant evidence. A timetable for the project should also be attached to an application, in order to estimate when the project would be able to contribute towards the benchmarks for domestic capacity or for diversification. As public acceptance of mining projects is crucial for their effective implementation, the promoter should also provide a plan containing measures to *ensure* public *participation*. Special

attention should be paid to social partners, civil society and other oversight actors. The promoter should also provide a business plan providing information regarding the project's financial viability and giving an overview of funding and off-take agreements already secured as well as estimates for potential job creation and for the project's needs in terms of skilled workforce, including upskilling and reskilling.

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Or. en

Amendment 81

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau, Nicola Beer

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) To ensure the effective and efficient treatment of applications, the Commission should be able prioritise the processing of applications for projects related to specific underrepresented value chain stages or strategic raw materials, in order to be able to ensure the Union's balanced progress towards all benchmark for Union capacity included in this Regulation.

Amendment

(13) To ensure the effective and efficient treatment of applications, the Commission should be able prioritise the processing of applications for projects related to specific underrepresented value chain stages or strategic raw materials, in order to be able to ensure the Union's balanced progress towards all benchmark for Union capacity included in this Regulation. ***The Commission should also proactively seek out partner countries to promote strategic collaborations.***

Or. en

Amendment 82

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 14

(14) As the cooperation of the Member State on whose territory a Strategic Project will be implemented is necessary to ensure its effective implementation, that Member State should have the right to object to and thereby prevent that a project is granted the status of Strategic Project against its will. If it does so, the relevant Member State should provide a reasoned justification for its refusal referring to the applicable criteria. Similarly, the Union should not grant the status of Strategic Project to projects that will be implemented by a third country against the will of its government and should therefore refrain from doing so where a third country government objects.

(14) As the cooperation of the Member State on whose territory a Strategic Project will be implemented is necessary to ensure its effective implementation, that Member State should have the right to object to and thereby prevent that a project is granted the status of Strategic Project against its will. If it does so, the relevant Member State should provide a reasoned justification for its refusal referring to the applicable criteria. Similarly, the Union should not grant the status of Strategic Project to projects that will be implemented by a third country against the will of its government and should therefore refrain from doing so where a third country government objects, ***taking into account that environmental and social impacts are the main factors leading to a lack of public acceptance in the extractive sector.***

Or. en

Amendment 83

Maria Arena

Proposal for a regulation

Recital 19

(19) Given their role in ensuring the Union's security of supply for strategic raw materials, and their contribution to the Union's open strategic autonomy and the green and digital transition, Strategic Projects should be considered by the responsible permitting authority as being in the public interest. Strategic Projects which have an adverse impact on the environment, to the extent it falls under the scope of Directive 2000/60/EC, Council Directive 92/43/EEC and Directive 2009/147/EC³⁹ may be authorised where the responsible permitting authority concludes, based on its case-by-case

(19) Given their role in ensuring the Union's security of supply for strategic raw materials, and their contribution to the Union's open strategic autonomy and the green and digital transition, Strategic Projects should be considered by the responsible permitting authority as being in the public interest. Strategic Projects which have an adverse impact on the environment, to the extent it falls under the scope of Directive 2000/60/EC, Council Directive 92/43/EEC and Directive 2009/147/EC³⁹ may be authorised where the responsible permitting authority concludes, based on its case-by-case

assessment, that the public interest served by the project overrides those impacts, provided that all relevant conditions set out in those Directives are met. Where relevant, the case-by-case assessment should take into account the geological specificity of extraction sites, which constrains decisions on location.

assessment, that the public interest served by the project overrides those impacts, provided that all relevant conditions set out in those Directives are met. Where relevant, the case-by-case assessment should take into account the geological specificity of extraction sites, which constrains decisions on location. ***In order not to be inconsistent with other Union's environmental and climate legislation, raw materials projects under the scope of this Regulation should not be located within and negatively affect protected areas designated under Union's environmental legislation.***

³⁹ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25).

³⁹ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25).

Or. en

Amendment 84

Anna Fotyga

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Given their role in ensuring the Union's security of supply for strategic raw materials, and their contribution to the Union's ***open strategic autonomy*** and the green and digital transition, Strategic Projects should be considered by the responsible permitting authority as being in the public interest. Strategic Projects which have an adverse impact on the environment, to the extent it falls under the scope of Directive 2000/60/EC, Council Directive 92/43/EEC and Directive 2009/147/EC³⁹ may be authorised where the responsible permitting authority concludes, based on its case-by-case assessment, that the public interest served

Amendment

(19) Given their role in ensuring the Union's security of supply for strategic raw materials, and their contribution to the Union's ***security, self-sufficiency, resilience*** and the green and digital transition, Strategic Projects should be considered by the responsible permitting authority as being in the public interest. Strategic Projects which have an adverse impact on the environment, to the extent it falls under the scope of Directive 2000/60/EC, Council Directive 92/43/EEC and Directive 2009/147/EC³⁹ may be authorised where the responsible permitting authority concludes, based on its case-by-case assessment, that the public

by the project overrides those impacts, provided that all relevant conditions set out in those Directives are met. Where relevant, the case-by-case assessment should take into account the geological specificity of extraction sites, which constrains decisions on location.

³⁹ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25).

interest served by the project overrides those impacts, provided that all relevant conditions set out in those Directives are met. Where relevant, the case-by-case assessment should take into account the geological specificity of extraction sites, which constrains decisions on location.

³⁹ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25).

Or. en

Amendment 85

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau, Nicola Beer

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) In order to reduce complexity and increase efficiency and transparency in permitting process, project promoters of critical raw materials projects should be able to interact with a single national authority, which is responsible for facilitating and coordinating the entire permit granting process and in the case of Strategic Projects shall issue a comprehensive decision within the applicable time limit. To that end, Member States should designate a single national competent authority. Where needed in light of a Member State's internal organisation, the tasks of the national competent authority should be able to be delegated to a different authority, subject to the same conditions. To ensure the effective implementation of its responsibilities, Member States should provide their national competent authority, or any authority acting on its behalf, with sufficient personnel and resources.

Amendment

(20) In order to reduce complexity and increase efficiency and transparency in permitting process, project promoters of critical raw materials projects should be able to interact with a single national authority, which is responsible for facilitating and coordinating the entire permit granting process and in the case of Strategic Projects shall issue a comprehensive decision within the applicable time limit. To that end, Member States should designate a single national competent authority. Where needed in light of a Member State's internal organisation, the tasks of the national competent authority should be able to be delegated to a different authority, subject to the same conditions. To ensure the effective implementation of its responsibilities, Member States should provide their national competent authority, or any authority acting on its behalf, with sufficient **qualified** personnel and

resources.

Or. en

Amendment 86

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Land use conflicts can ***create barriers to*** the deployment of critical raw material projects. Well-designed plans, including spatial plans and zoning, that take into account the potential for implementing critical raw material projects and whose potential environmental impacts are assessed, have the potential to help balance public goods and interests, decreasing the risk of conflict and accelerating the sustainable deployment of raw materials projects in the Union. Responsible national, regional and local authorities should therefore consider including provisions for raw materials projects when developing relevant plans.

Amendment

(25) Land use conflicts can ***arise from*** the deployment of critical raw material projects, ***notably in developing countries, where forced eviction or relocation are common features of mining operations. This is a serious human rights violation, especially for indigenous people whose livelihoods are closely intertwined with the land and who derive much of their livelihoods from biodiversity services.*** Well-designed plans, including spatial plans and zoning, that take into account the potential for implementing critical raw material projects and whose potential environmental impacts are assessed, have the potential to help balance public goods and interests, decreasing the risk of conflict and accelerating the sustainable deployment of raw materials projects in the Union. Responsible national, regional and local authorities should therefore consider including provisions for raw materials projects when developing relevant plans.

Or. en

Amendment 87

Maria Arena

Proposal for a regulation

Recital 27

(27) A strong value chain in Europe can be built only with adequate financial means. The Commission will work with InvestEU implementing partners to seek ways to scale up support to investment in line with the common objectives set out in Regulation (EU) 2021/523⁴¹ and in this Regulation. The InvestEU Advisory Hub can contribute to the build-up of pipeline of viable projects.

(27) A strong value chain in Europe can be built only with adequate financial means. The Commission will work with InvestEU implementing partners to seek ways to scale up support to investment in line with the common objectives set out in Regulation (EU) 2021/523⁴¹ and in this Regulation, ***and with the EIB eligibility, excluded activities and excluded sectors list***. The InvestEU Advisory Hub can contribute to the build-up of pipeline of viable projects.

⁴¹ Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 (OJ 64, 26.3.2021, p. 30-89)

⁴¹ Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 (OJ 64, 26.3.2021, p. 30-89)

Or. en

Amendment 88

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 28

(28) In order to overcome the limitations of the currently often fragmented public and private investments efforts, facilitate integration and return on investment, the Commission, Member States and promotional banks should better coordinate and create synergies between the existing funding programmes at Union and national level as well as ensure better coordination and collaboration with industry and key private sector stakeholders. To that end, a dedicated sub-group of the Board bringing together experts from the Member States and the Commission as well as relevant public financial institutions should be set

(28) In order to overcome the limitations of the currently often fragmented public and private investments efforts, facilitate integration and return on investment, the Commission, Member States and promotional banks should better coordinate and create synergies between the existing funding programmes at Union and national level as well as ensure better coordination and collaboration with industry and key private sector stakeholders. To that end, a dedicated sub-group of the Board bringing together experts from the Member States and the Commission as well as relevant public financial institutions should be set

up. This sub-group should discuss the individual financing needs of Strategic Projects and their existing funding possibilities in order to provide project promoters with a suggestion on how to best access existing financing possibilities. When discussing and making recommendations for the financing of Strategic Projects in third countries, the Board should in particular take into account the Global Gateway strategy⁴².

up. This sub-group should discuss the individual financing needs of Strategic Projects and their existing funding possibilities in order to provide project promoters with a suggestion on how to best access existing financing possibilities. When discussing and making recommendations for the financing of Strategic Projects in third countries, the Board should in particular take into account the Global Gateway strategy⁴².

Also the Board shall ensure that the financing of Strategic Projects in third countries comply with the objectives and general principles set in NDICI - Global Europe regulation and the international guidelines and Conventions on investment, including the UN Principles for Responsible Investment, the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, ILO conventions, international human rights law and the development effectiveness principles.

⁴² Joint Communication to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank The Global Gateway (JOIN/2021/30 final).

⁴² Joint Communication to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank The Global Gateway (JOIN/2021/30 final).

Or. en

Amendment 89

Idoia Villanueva Ruiz

Proposal for a regulation

Recital 29

Text proposed by the Commission

(29) Private investment by companies, financial investors and off takers is essential. ***Where private investment alone is not sufficient, the effective roll-out of***

Amendment

(29) Private investment by companies, financial investors and off takers is essential ***but must not be the main stakeholders, as due to the strategic***

projects along the critical raw material value chain may require public support, for example in the form of guarantees, loans or equity and quasi-equity investments. This public support may constitute State aid. Such aid must have an incentive effect and be necessary, appropriate and proportionate. The existing State aid guidelines, which have recently undergone an in-depth revision in line with twin transition objectives, provide ample possibilities to support investments along the critical raw materials value chain subject to certain conditions.

importante oc critical raw materials, it should be maintained in the public domain.

Or. en

Amendment 90
Fabio Massimo Castaldo

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) The volatile prices of several strategic raw materials, exacerbated by limited means to hedge them on forward markets, create an obstacle both for project promoters to secure financing for strategic raw material projects as well as for downstream consumers looking to secure stable and predictable prices for key inputs. In an effort to reduce uncertainty over future prices for strategic raw materials, it is necessary to provide for the setting up of a system that enables both interested off-takers and promoters of Strategic Projects to indicate their buying or selling bids and to bring them in contact if the respective bids are potentially compatible.

Amendment

(31) The volatile prices of several strategic raw materials, exacerbated by limited means to hedge them on forward markets, create an obstacle both for project promoters to secure financing for strategic raw material projects as well as for downstream consumers looking to secure stable and predictable prices for key inputs. In an effort to reduce uncertainty over future prices for strategic raw materials, it is necessary to provide for the setting up of a system that enables both interested off-takers and promoters of Strategic Projects, **including SMEs**, to indicate their buying or selling bids and to bring them in contact if the respective bids are potentially compatible.

Or. en

Amendment 91

Anna Fotyga

Proposal for a regulation

Recital 33

Text proposed by the Commission

(33) Space data and services derived from earth observation can support the efforts towards sustainable critical raw materials value chains by providing a continuous flow of information, which could be useful for activities such as monitoring and management of mining areas, the environmental and socio-economic impact assessment, or mineral resource exploration. As earth observation is also able to provide data about remote and inaccessible areas, it should be considered by Member States when drawing up and implementing their national exploration programmes to the extent possible.

Amendment

(33) Space data and services derived from earth observation can support the efforts towards sustainable critical raw materials value chains by providing a continuous flow of information, which could be useful for activities such as monitoring and management of mining areas, the environmental and socio-economic impact assessment, or mineral resource exploration. As earth observation is also able to provide data about remote and inaccessible areas, it should be considered by Member States when drawing up and implementing their national exploration programmes to the extent possible. ***Simultaneously, assessment should be made how to use the space technology and other tools such as Copernicus services to detect cases of illegal and predatory exploitations, which should be additionally combatted, increasing availability of those material for legal, environmentally friendly, sustainable projects.***

Or. en

Amendment 92

Idoia Villanueva Ruiz

Proposal for a regulation

Recital 34

Text proposed by the Commission

(34) Although the reinforcement of the Union's critical raw materials value chain is necessary to ensure increased security of supply, the supply chains of critical raw materials will remain global and exposed

Amendment

(34) Although the reinforcement of the Union's critical raw materials value chain is necessary to ensure increased security of supply, the supply chains of critical raw materials will remain global and exposed

to external factors. Recent or ongoing events ranging from the COVID-19 crisis to the unprovoked and unjustified military aggression against Ukraine underlined the vulnerability of some of the Union's supply chains to disruptions. In order to ensure that Member States and European industries are able to anticipate supply disruption and prepared to withstand their consequences, measures should be developed to increase monitoring capacity, coordinate strategic stocks and reinforce the preparedness of companies.

to external factors. Recent or ongoing events ranging from the COVID-19 crisis to the unprovoked and unjustified military aggression against Ukraine underlined the vulnerability of some of the Union's supply chains to disruptions. In order *for the EU to have a fully fledged strategic autonomy and to be a autonomous political actor, it must reduce its geopolitical and energetic dependencies from third countries. To achieve this the EU must have a economic and industrial strategy.* In order to ensure that Member States and European industries are able to anticipate supply disruption and prepared to withstand their consequences, measures should be developed to increase monitoring capacity, coordinate strategic stocks and reinforce the preparedness of companies.

Or. en

Amendment 93

Anna Fotyga

Proposal for a regulation

Recital 34

Text proposed by the Commission

(34) Although the reinforcement of the Union's critical raw materials value chain is necessary to ensure increased security of supply, the supply chains of critical raw materials will remain global and exposed to external factors. Recent or ongoing events ranging from *the COVID-19 crisis to the* unprovoked and unjustified *military* aggression *against* Ukraine underlined the vulnerability of some of the Union's supply chains to disruptions. In order to ensure that Member States and European industries are able to anticipate supply disruption and prepared to withstand their consequences, measures should be developed to increase monitoring capacity, coordinate strategic stocks and reinforce

Amendment

(34) Although the reinforcement of the Union's critical raw materials value chain is necessary to ensure increased security of supply, the supply chains of critical raw materials will remain global and exposed to external factors. Recent or ongoing events ranging from *Russia's* unprovoked and unjustified *full-scale* aggression *on* Ukraine *and attempts to demolish the rules based international order and territorial claims to the Arctic, the growing global tensions with the PRC, the COVID-19 crisis, challenges to the maritime security, terrorism threat directly destabilizing many regions such as the Sahel,* underlined the vulnerability of some of the Union's supply chains to disruptions. In order to ensure that Member

the preparedness of companies.

States and European industries are able to anticipate supply disruption and prepared to withstand their consequences, measures should be developed to increase monitoring capacity, coordinate strategic stocks and reinforce the preparedness of companies.

Or. en

Amendment 94
Fabio Massimo Castaldo

Proposal for a regulation
Recital 34

Text proposed by the Commission

(34) Although the reinforcement of the Union's critical raw materials value chain is necessary to ensure increased security of supply, the supply chains of critical raw materials will remain global and exposed to external factors. Recent or ongoing events ranging from the COVID-19 crisis to the unprovoked and unjustified military aggression against Ukraine underlined the vulnerability of some of the Union's supply chains to disruptions. In order to ensure that Member States and European industries are able to anticipate supply disruption and prepared to withstand their consequences, measures should be developed to increase monitoring capacity, coordinate strategic stocks and reinforce the preparedness of companies.

Amendment

(34) Although the reinforcement of the Union's critical raw materials value chain is necessary to ensure increased security of supply, the supply chains of critical raw materials will remain global and exposed to external factors. Recent or ongoing events ranging from the COVID-19 crisis to the unprovoked and unjustified military aggression against Ukraine, ***as well as a more complex geopolitical situation worldwide***, underlined the vulnerability of some of the Union's supply chains to disruptions. In order to ensure that Member States and European industries are able to anticipate supply disruption and prepared to withstand their consequences, measures should be developed to increase monitoring capacity, coordinate strategic stocks and reinforce the preparedness of companies.

Or. en

Amendment 95
Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation
Recital 46

(46) To address the current lack of information on the critical raw materials potential of closed extractive waste facilities, Member States should draw up a database containing all information relevant to promote the recovery, notably the quantities and concentrations of critical raw materials in the extractive waste facility, in compliance with Union competition rules. The information should be made publicly available and in a user-friendly and digital form, enabling access to more detailed, technical information. To facilitate user-friendly access to the information, Member States should for instance provide a point of contact to enable more in-depth exchanges with potential developers of critical raw materials recovery projects. The database should be designed to allow potential project promoters to easily identify facilities with a high potential for economically viable recovery. To focus limited resources, Member States should follow a staged approach in the collection of information and perform the more demanding information collection steps only for the most promising facilities. The information collection activities should be aimed at providing accurate and representative information on the extractive waste facilities and gaining the best possible indication of the critical raw materials recovery potential.

(46) To address the current lack of information on the critical raw materials potential of closed extractive waste facilities, Member States should draw up a database containing all information relevant to promote the recovery, notably the quantities and concentrations of critical raw materials in the extractive waste facility, in compliance with Union competition rules. The information should be made publicly available and in a user-friendly and digital form, enabling access to more detailed, technical information. To facilitate **interactive**, user-friendly access to the information, Member States should for instance provide a point of contact to enable more in-depth exchanges with potential developers of critical raw materials recovery projects. The database should be designed to allow potential project promoters to easily identify facilities with a high potential for economically viable recovery. To focus limited resources, Member States should follow a staged approach in the collection of information and perform the more demanding information collection steps only for the most promising facilities. The information collection activities should be aimed at providing accurate and representative information on the extractive waste facilities and gaining the best possible indication of the critical raw materials recovery potential.

Or. en

Amendment 96

Maria Arena

Proposal for a regulation

Recital 49

(49) Critical raw materials sold on the

(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 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.*

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 labour rights and business transparency, and which contain provisions for *due-diligence processes*, independent third party verification and monitoring of compliance.

Or. en

Amendment 97
Fabio Massimo Castaldo

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

Amendment

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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 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.

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 ***in accordance with the ‘Do No Significant Harm’ principle within the meaning of Article 17 of Regulation (EU) 2020/852.*** Recognition should be given only to certification schemes that cover a broad range of sustainability aspects, including environmental protection, human rights including 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.

Or. en

Amendment 98

Idoia Villanueva Ruiz

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

Amendment

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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 labour rights and business transparency, and which contain provisions for ***due diligence process including due diligence***, 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.

Or. en

Amendment 99 Idoia Villanueva Ruiz

Proposal for a regulation Recital 50

Text proposed by the Commission

(50) The production of critical raw materials at different stages of the value chain ***causes*** environmental impacts, whether on climate, water, fauna or flora. In order to limit ***such*** damage and incentivise the production of more sustainable critical raw materials, the Commission should be empowered to develop a system for the calculation of the

Amendment

(50) ***The prevention and elimination of human rights abuses is a prerequisite of Union's external commercial, economic and geopolitical relations.*** The production of critical raw materials at different stages of the value chain ***may cause adverse human rights and*** environmental impacts, whether on climate, water, fauna or flora. In order to limit ***potential human rights***

environmental footprint of critical raw materials, including a verification process, to ensure that critical raw materials placed on the Union market publicly display information on such footprint. The system should be based on taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment. The requirement to declare the environmental footprint of a material should only apply where it has been concluded, based on a dedicated assessment, that it would contribute to the Union's climate and environmental objectives by facilitating the procurement of critical raw materials with lower environmental footprint and would not disproportionately affect trade flows. When the relevant calculation methods have been adopted, the Commission should develop performance classes for critical raw materials, thereby allowing potential buyers to easily compare the relative environmental footprint of available materials and driving the market towards more sustainable materials. Sellers of critical raw materials should ensure that the environmental footprint declaration is available to their customers. Transparency on the relative footprint of critical raw materials placed on the Union market may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of critical raw materials with lower environmental impacts.

abuses and environmental damage and incentivise the production of more sustainable critical raw materials, the Commission should be empowered to develop a system for the calculation of the environmental footprint of critical raw materials, including a verification process, to ensure that critical raw materials placed on the Union market publicly display information on such footprint. The system should be based on taking into account scientifically sound assessment methods and relevant international standards, **including** in the area of life cycle assessment. The requirement to declare the **human rights and** environmental footprint of a material should only apply where it has been concluded, based on a dedicated assessment, that it would contribute to the Union's **human rights**, climate and environmental objectives by facilitating the procurement of critical raw materials with lower environmental footprint **and in line with the Union's human rights commitments** and would not disproportionately affect trade flows. When the relevant calculation methods have been adopted, the Commission should develop performance classes for critical raw materials, thereby allowing potential buyers to easily compare the relative **human rights and** environmental footprint of available materials and driving the market towards more sustainable materials. Sellers of critical raw materials should ensure that the environmental footprint declaration is available to their customers **in a clear and accessible manner**. Transparency on the relative footprint of critical raw materials placed on the Union market may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of critical raw materials with lower environmental impacts.

Or. en

Amendment 100
Maria Arena

Proposal for a regulation
Recital 50

Text proposed by the Commission

(50) The production of critical raw materials at different stages of the value chain causes environmental impacts, whether on climate, water, fauna or flora. In order to limit such damage and incentivise the production of more sustainable critical raw materials, the Commission should be empowered to develop a system for the calculation of the environmental footprint of critical raw materials, including a verification process, to ensure that critical raw materials placed on the Union market publicly display information on such footprint. The system should be based on taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment. The requirement to declare the environmental footprint of a material should only apply where it has been concluded, based on a dedicated assessment, that it would contribute to the Union's climate and environmental objectives by facilitating the procurement of critical raw materials with lower environmental footprint ***and would not disproportionately affect trade flows.*** When the relevant calculation methods have been adopted, the Commission should develop performance classes for critical raw materials, thereby allowing potential buyers to easily compare the relative environmental footprint of available materials and driving the market towards more sustainable materials. Sellers of critical raw materials should ensure that the environmental footprint declaration is available to their customers. Transparency on the relative footprint of critical raw materials placed on the Union market may also enable other policies at Union and national level, such as incentives or green

Amendment

(50) The production of critical raw materials at different stages of the value chain causes environmental impacts, whether on climate, water, fauna or flora. In order to limit such damage and incentivise the production of more sustainable critical raw materials, the Commission should be empowered to develop a system for the calculation of the environmental footprint of critical raw materials, including a verification process, to ensure that critical raw materials placed on the Union market publicly display information on such footprint. The system should be based on taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment. The requirement to declare the environmental footprint of a material should only apply where it has been concluded, based on a dedicated assessment, that it would contribute to the Union's climate and environmental objectives by facilitating the procurement of critical raw materials with lower environmental footprint. When the relevant calculation methods have been adopted, the Commission should develop performance classes for critical raw materials, thereby allowing potential buyers to easily compare the relative environmental footprint of available materials and driving the market towards more sustainable materials. Sellers of critical raw materials should ensure that the environmental footprint declaration is available to their customers. Transparency on the relative footprint of critical raw materials placed on the Union market may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the

public procurement criteria, fostering the production of critical raw materials with lower environmental impacts.

production of critical raw materials with lower environmental impacts.

Or. en

Amendment 101

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 53 a (new)

Text proposed by the Commission

Amendment

(53a) The Agenda 2030 has given a new impetus to deliver improved livelihoods from extractive resources, provided that careful consideration is paid to the views and expectations of all the key actors in home and host countries, to reconcile issues of sustainable development and security of supply, such as the Africa Mining Vision and the EU Raw Materials Initiative. At the local level, inclusive business models should be implemented in which local communities participate in decision-making, their rights are protected and they benefit from extractive industries.

Or. en

Amendment 102

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 54

Text proposed by the Commission

Amendment

(54) The Union has concluded Strategic Partnerships covering raw materials with third countries in order to implement the 2020 Action Plan on Critical Raw

(54) The Union has concluded Strategic Partnerships covering raw materials with third countries in order to implement the 2020 Action Plan on Critical Raw

Materials. In order to diversify supply, these efforts should continue. To develop and ensure a coherent framework for the conclusion of future partnerships, the Member States and the Commission should, as part of their interaction on the Board, discuss and ensure coordination on, inter alia, whether existing partnerships achieve the intended aims, the prioritisation of third countries for new partnerships, the content of such partnerships and their coherence and potential synergies between Member States' bilateral cooperation with relevant third countries. The Union should seek mutually beneficial partnerships with emerging market and developing economies, in coherence with its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain as well as add value in the production in these countries.

Materials. In order to diversify supply, these efforts should continue.
Nevertheless, the Union shall fully take into account that extractive activities in developing countries often operate in complex social environments surrounded by vulnerable communities, where the role of human rights defenders, among others, is very crucial. To develop and ensure a coherent framework for the conclusion of future partnerships, the Member States and the Commission should, as part of their interaction on the Board, ***and with full involvement of the European Parliament***, discuss and ensure coordination on, inter alia, whether existing partnerships achieve the intended aims, the prioritisation of third countries for new partnerships, the content of such partnerships and their coherence and potential synergies between Member States' bilateral cooperation with relevant third countries. The Union should seek mutually beneficial partnerships with emerging market and developing economies, in coherence with its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain as well as add value in the production in these countries. ***Strategic partnerships should include commitments from the Union to offer technical assistance to tackle illicit financial flows, improve regulation of the activities of trans-national corporations and financial regulation, as well technical assistance to governments and private actors to support compliance with Union legislation on supply chain due diligence.***

Or. en

Amendment 103

Anna Fotyga

Proposal for a regulation

Recital 54

(54) The Union has concluded Strategic Partnerships covering raw materials with third countries in order to implement the 2020 Action Plan on Critical Raw Materials. In order to diversify supply, these efforts should *continue*. To develop and ensure a coherent framework for the conclusion of future partnerships, the Member States and the Commission should, as part of their interaction on the Board, discuss and ensure coordination on, inter alia, whether existing partnerships achieve the intended aims, the prioritisation of third countries for new partnerships, the content of such partnerships and their coherence and potential synergies between Member States' bilateral cooperation with relevant third countries. The Union should seek mutually beneficial partnerships with emerging market and developing economies, in coherence with its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain as well as add value in the production in these countries.

(54) The Union has concluded Strategic Partnerships covering raw materials with third countries in order to implement the 2020 Action Plan on Critical Raw Materials. In order to diversify supply, these efforts should ***be continued, with strengthened cooperation and coordination with like-minded partners***. To develop and ensure a coherent framework for the conclusion of future partnerships, the Member States and the Commission should, as part of their interaction on the Board, discuss and ensure coordination on, inter alia, whether existing partnerships achieve the intended aims, the prioritisation of third countries for new partnerships, the content of such partnerships and their coherence and potential synergies between Member States' bilateral cooperation with relevant third countries. The Union should seek mutually beneficial partnerships with emerging market and developing economies, in coherence with its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain as well as add value in the production in these countries.

Or. en

Amendment 104
Fabio Massimo Castaldo

Proposal for a regulation
Recital 54

(54) The Union has concluded Strategic Partnerships covering raw materials with third countries in order to implement the 2020 Action Plan on Critical Raw Materials. In order to diversify supply, these efforts should continue. To develop and ensure a coherent framework for the

(54) The Union has concluded Strategic Partnerships covering raw materials with third countries in order to implement the 2020 Action Plan on Critical Raw Materials. In order to diversify supply, these efforts should continue. To develop and ensure a coherent framework for the

conclusion of future partnerships, the Member States and the Commission should, as part of their interaction on the Board, discuss and ensure coordination on, inter alia, whether existing partnerships achieve the intended aims, the prioritisation of third countries for new partnerships, the content of such partnerships and their coherence and potential synergies between Member States' bilateral cooperation with relevant third countries. The Union should seek mutually beneficial partnerships with emerging market and developing economies, in coherence with its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain as well as add value in the production in these countries.

conclusion of future partnerships, the Member States and the Commission should, as part of their interaction on the Board, discuss and ensure coordination on, inter alia, whether existing partnerships achieve the intended aims ***and if they don't how they should be amended***, the prioritisation of third countries for new partnerships, the content of such partnerships and their coherence and potential synergies between Member States' bilateral cooperation with relevant third countries. The Union should seek mutually beneficial partnerships with emerging market and developing economies, in coherence with its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain as well as add value in the production in these countries.

Or. en

Amendment 105

Fabio Massimo Castaldo

Proposal for a regulation

Recital 55

Text proposed by the Commission

(55) In order to support the implementation of tasks pertaining to the development of Strategic Projects and their financing, exploration programmes, monitoring capacities or strategic stocks and to advise the Commission appropriately, a European Critical Raw Materials Board should be established. The Board should be composed of Member States and of the Commission, while being able to ensure participation of other parties as observers. To develop the necessary expertise for the implementation of certain tasks, the Board should establish standing sub-groups on financing, exploration, monitoring and strategic stocks, that should act as a network by gathering the different

Amendment

(55) In order to support the implementation of tasks pertaining to the development of Strategic Projects and their financing, exploration programmes, monitoring capacities or strategic stocks and to advise the Commission appropriately, a European Critical Raw Materials Board should be established. The Board should be composed of Member States and of the Commission, while being able to ensure participation of other parties as observers. To develop the necessary expertise for the implementation of certain tasks, the Board should establish standing sub-groups on financing, exploration, monitoring and strategic stocks, that should act as a network by gathering the different

relevant national authorities and, when necessary, consult industry, academia, civil society and other relevant stakeholders. The Board's advice and opinions should be **non-binding** and the absence of such an advice or opinion should not prevent the Commission from performing its tasks under this Regulation.

relevant national authorities, **economic operators** and, when necessary, consult industry, **including SMEs**, academia, civil society and other relevant stakeholders. **Although non-binding**, the Board's advice and opinions should be **taken into due consideration and prioritised by the Commission**. However, the absence of such an advice or opinion should not prevent the Commission from performing its tasks under this Regulation.

Or. en

Amendment 106

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 55

Text proposed by the Commission

(55) In order to support the implementation of tasks pertaining to the development of Strategic Projects and their financing, exploration programmes, monitoring capacities or strategic stocks and to advise the Commission appropriately, a European Critical Raw Materials Board should be established. The Board should be composed of Member States and of the Commission, while being able to ensure participation of other parties as observers. To develop the necessary expertise for the implementation of certain tasks, the Board should establish standing sub-groups on financing, exploration, monitoring and strategic stocks, that should act as a network by gathering the different relevant national authorities and, when necessary, consult industry, academia, civil society and other relevant stakeholders. The Board's advice and opinions should be non-binding and the absence of such an advice or opinion should not prevent the Commission from performing its tasks

Amendment

(55) In order to support the implementation of tasks pertaining to the development of Strategic Projects and their financing, exploration programmes, monitoring capacities or strategic stocks and to advise the Commission appropriately, a European Critical Raw Materials Board should be established. The Board should be composed of Member States and of the Commission, while being able to ensure participation of other parties as observers, **such as academics, think tanks, CSOs and EU agencies**. To develop the necessary expertise for the implementation of certain tasks, the Board should establish standing sub-groups on financing, exploration, monitoring and strategic stocks, that should act as a network by gathering the different relevant national authorities and, when necessary, consult industry, academia, civil society and other relevant stakeholders. The Board's advice and opinions should be non-binding and the absence of such an advice or opinion should not prevent the

under this Regulation.

Commission from performing its tasks
under this Regulation.

Or. en

Amendment 107

Maria Arena

Proposal for a regulation

Recital 55

Text proposed by the Commission

(55) In order to support the implementation of tasks pertaining to the development of Strategic Projects and their financing, exploration programmes, monitoring capacities or strategic stocks and to advise the Commission appropriately, a European Critical Raw Materials Board should be established. The Board should be composed of Member States and of the Commission, while being able to ensure participation of other parties as observers. To develop the necessary expertise for the implementation of certain tasks, the Board should establish standing sub-groups on financing, exploration, monitoring **and** strategic stocks, that should act as a network by gathering the different relevant national authorities and, **when necessary, consult** industry, academia, civil society and other relevant stakeholders. The Board's advice and opinions should be non-binding and the absence of such an advice or opinion should not prevent the Commission from performing its tasks under this Regulation.

Amendment

(55) In order to support the implementation of tasks pertaining to the development of Strategic Projects and their financing, exploration programmes, monitoring capacities or strategic stocks and to advise the Commission appropriately, a European Critical Raw Materials Board should be established. The Board should be composed of Member States and of the Commission, while being able to ensure participation of other parties as observers. To develop the necessary expertise for the implementation of certain tasks, the Board should establish standing sub-groups on financing, exploration, monitoring, strategic stocks, **and sustainability** that should act as a network by gathering the different relevant national authorities and **consulting** industry, academia, civil society and other relevant stakeholders. The Board's advice and opinions should be non-binding and the absence of such an advice or opinion should not prevent the Commission from performing its tasks under this Regulation.

Or. en

Amendment 108

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. The general objective of this Regulation is to improve the functioning of the internal market by establishing a framework to *ensure the Union's access to a secure and sustainable* supply of critical raw materials.

Amendment

1. The general objective of this Regulation is to improve the functioning of the internal market by establishing a framework to ***improve the resilience of the Union regarding the*** supply of critical raw materials, ***by prioritising sustainability, efficiency and circularity, with the view to reduce global demand for virgin materials to achieve Sustainable Development Goals, notably to address the challenges of climate change, water stress and pollution and loss of biodiversity.***

Or. en

Amendment 109

Fabio Massimo Castaldo

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. The general objective of this Regulation is to improve the functioning of the internal market by establishing a framework to ensure the Union's access to a secure and sustainable supply of critical raw materials.

Amendment

1. The general objective of this Regulation is to improve the functioning of the internal market by establishing a framework to ensure the Union's access to a secure and sustainable supply of critical raw materials ***in accordance with the ‘do no significant harm’ principle within the meaning of Article 17 of Regulation (EU) 2020/852.***

Or. en

Amendment 110

Dragoș Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. The general objective of this Regulation is to improve the functioning of the internal market by establishing a framework to ensure the Union's access to a secure and sustainable supply of critical raw materials.

Amendment

1. The general objective of this Regulation is to improve the functioning of the internal market by establishing a framework to ensure the Union's access to a secure and sustainable supply of critical raw materials, ***while strengthening existing democratic partnerships and creating new diplomatic ties with the Global South.***

Or. en

Amendment 111

Anna Fotyga

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. The general objective of this Regulation is to improve the functioning of the internal market by establishing a framework to ensure the Union's access to a secure and sustainable supply of critical raw materials.

Amendment

1. The general objective of this Regulation is to improve the functioning of the internal market by establishing a framework to ensure the Union's access to a secure, ***unhindered*** and sustainable supply of critical raw materials.

Or. en

Amendment 112

Fabio Massimo Castaldo

Proposal for a regulation

Article 1 – paragraph 2 – introductory part

Text proposed by the Commission

2. To achieve the general objective referred to in paragraph 1, this Regulation aims to:

Amendment

2. To achieve the general objective referred to in paragraph 1, this Regulation aims to:

Or. en

Amendment 113
Fabio Massimo Castaldo

Proposal for a regulation
Article 1 – paragraph 2 – point a – introductory part

Text proposed by the Commission

(a) strengthen the different stages of the strategic raw materials value chain **with a view** to ensure that, by 2030, Union capacities for each strategic raw material have significantly increased so that, overall, Union capacity approaches or reaches the following benchmarks:

Amendment

(a) strengthen the different stages of the strategic raw materials value chain to ensure that, by 2030 **and in the following decades**, Union capacities for each strategic raw material have significantly increased so that, overall, Union capacity approaches or reaches the following benchmarks:

Or. en

Amendment 114
Fabio Massimo Castaldo

Proposal for a regulation
Article 1 – paragraph 2 – point a – point iii

Text proposed by the Commission

(iii) Union recycling capacity, including for all intermediate recycling steps, is able to produce at least **15%** of the Union's annual consumption of strategic raw materials.

Amendment

(iii) Union recycling capacity, including for all intermediate recycling steps, is able to produce at least **10%** of the Union's annual **consumption of each strategic raw material as well as 25% of the Union's aggregated** consumption of strategic raw materials.

Or. en

Amendment 115
Maria Arena

Proposal for a regulation
Article 1 – paragraph 2 – point a – point iii

Text proposed by the Commission

(iii) Union recycling capacity, including

Amendment

(iii) Union recycling capacity, including

for all intermediate recycling steps, is able to produce at least **15%** of the Union's annual consumption of strategic raw materials.

for all intermediate recycling steps, is able to produce at least **25%** of the Union's annual consumption of strategic raw materials.

Or. en

Amendment 116
Fabio Massimo Castaldo

Proposal for a regulation
Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) diversify the Union's imports of strategic raw materials with a view to ensure that, by 2030, the Union's annual consumption of each strategic raw material at any relevant stage of processing can rely on imports from several third countries, none of which provide more than **65%** of the Union's annual consumption;

Amendment

(b) diversify the Union's imports of strategic raw materials with a view to ensure that, by 2030, the Union's annual consumption of each strategic raw material at any relevant stage of processing can rely on imports from several third countries, none of which provide more than **60%** of the Union's annual consumption;

Or. en

Amendment 117
Anna Fotyga

Proposal for a regulation
Article 1 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) bolster defence capabilities of the Member States and enhance the Euro-Atlantic's technological edge;

Or. en

Amendment 118
Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation
Article 1 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) reduce dependencies on non-democratic systemic rivals such as China;

Or. en

Amendment 119
Miriam Lexmann

Proposal for a regulation
Article 1 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) improve the Union's ability to monitor and mitigate the supply risk related to critical raw materials;

(c) improve the Union's ability to monitor and mitigate the supply risk related to critical raw materials, **taking into account global competitiveness and avoiding any undue costs;**

Or. en

Amendment 120
Miriam Lexmann

Proposal for a regulation
Article 1 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) ensure the free movement of critical raw materials and products containing critical raw materials placed on the Union market while ensuring a high level of environmental protection, by improving their circularity and sustainability.

(d) ensure the free movement of critical raw materials and products containing critical raw materials placed on the Union market while ensuring a high level of environmental protection **and sustainability**, by improving their circularity and sustainability.

Or. en

Amendment 121

Maria Arena

Proposal for a regulation

Article 1 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) move towards a just energy transition in the Union, with policies that respect due diligence, human rights and the environment, and that enable Member States to meet their international climate commitments under the Paris Agreement.

Or. en

Amendment 122

Anna Fotyga

Proposal for a regulation

Article 1 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) work towards limiting illegal and predatory extraction of raw materials, which should lead to greater availability of such materials to legally and environmentally friendly projects;

Or. en

Amendment 123

Radosław Sikorski

Proposal for a regulation

Article 1 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) ensure the EU's ability to achieve its objectives in the realm of security and defence policy by ensuring the supply of critical and strategic raw materials;

Amendment 124

Anna Fotyga

Proposal for a regulation

Article 1 – paragraph 2 – point d b (new)

Text proposed by the Commission

Amendment

(db) strengthen cooperation with entities of like-minded countries in order to commonly address existing and future global challenges;

Or. en

Amendment 125

Tom Vandenkendelaere

Proposal for a regulation

Article 1 – paragraph 3

Text proposed by the Commission

Amendment

3. **Where**, based on **the** report referred to in Article 42, **the Commission concludes** that the Union is likely **not** to achieve the objectives set out in paragraph 2, **it shall assess** the feasibility and proportionality of **proposing** measures **or exercising its powers at Union level** in order to ensure **the achievement of** those objectives.

3. **The European Commission has to publish a report, at the latest 6 months after publication of this regulation, outlining its methodology for the benchmarks that apply to each strategic raw material. This has to include a quantification of the level of investment required per material and an overview of the main bottlenecks that need to be overcome. Should the Commission conclude**, based on **this initial report or the additional three-year progress reports** referred to in Article 42, that the Union is **not** likely to achieve the objectives set out in paragraph 2, **an assessment needs to be undertaken on** the feasibility and proportionality of **new** measures in order to ensure **that** those objectives **can be achieved at Union level**.

Or. en

Amendment 126

Maria Arena

Proposal for a regulation

Article 1 – paragraph 4

Text proposed by the Commission

4. The Commission shall take into account the objectives and benchmarks laid down in paragraph 2, **point a(iii)**, as related Union priorities within the meaning of Article 5(4)(a)(i) of Regulation XX/XXXX [OP please insert: the Ecodesign for Sustainable Products Regulation], when preparing ecodesign requirements to improve the following product aspects: durability, reusability, reparability, resource use or resource efficiency, possibility of remanufacturing and recycling, recycled content and possibility of recovery of materials.

Amendment

4. The Commission shall take into account the objectives and benchmarks laid down in paragraph 2 as related Union priorities within the meaning of Article 5(4)(a)(i) of Regulation XX/XXXX [OP please insert: the Ecodesign for Sustainable Products Regulation], when preparing ecodesign requirements to improve the following product aspects: durability, reusability, reparability, resource use or resource efficiency, possibility of remanufacturing and recycling, recycled content and possibility of recovery of materials.

Or. en

Amendment 127

Miriam Lexmann

Proposal for a regulation

Article 2 – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) ‘secondary raw material’ means a substance or material recovered from processes residuals or from end of life products, that can be used in manufacturing processes instead of or in combination with virgin raw material;

Or. en

Amendment 128

Fabio Massimo Castaldo

Proposal for a regulation
Article 2 – paragraph 1 – point 50 a (new)

Text proposed by the Commission

Amendment

(50a) ‘loudspeaker’ is an electroacoustic transducer that converts an electrical audio signal into sound. It consists of various components, such as a diaphragm or cone, voice coil, magnet or permanent magnet, and enclosure, which work together to produce sound waves;

Or. en

Amendment 129
Jordi Solé
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point 62

Text proposed by the Commission

Amendment

(62) ‘Strategic Partnership’ means a commitment between the Union and a third country to increase cooperation related to the raw materials value chain **that is established through a non-binding instrument** setting out concrete **actions** of mutual interest.

(62) ‘Strategic Partnership’ means a commitment between the Union and a third country to increase cooperation related to the raw materials value chain, setting out concrete **measures** of mutual interest **in areas such as environmental and human rights protection, technology and knowledge transfer, research and development, value distribution, working conditions and national socio-economic development.**

Or. en

Amendment 130
Fabio Massimo Castaldo

Proposal for a regulation
Article 2 – paragraph 1 – point 62

Text proposed by the Commission

(62) ‘Strategic Partnership’ means a commitment between the Union and a third country to increase cooperation related to the raw materials value chain that is established through *a* non-binding **instrument** setting out concrete actions of mutual interest.

Amendment

(62) ‘Strategic Partnership’ means a commitment between the Union and a third country to increase cooperation related to the raw materials value chain that is established through **binding and** non-binding **instruments** setting out concrete actions of mutual interest.

Or. en

Amendment 131

Maria Arena

Proposal for a regulation

Article 2 – paragraph 1 – point 62

Text proposed by the Commission

(62) ‘Strategic Partnership’ means a commitment between the Union and a third country to increase cooperation related to the raw materials value chain that is established through *a non-binding* instrument setting out concrete actions of mutual interest.

Amendment

(62) ‘Strategic Partnership’ means a **reciprocal** commitment between the Union and a third country to increase cooperation related to the raw materials value chain that is established through *a binding* instrument setting out concrete actions of mutual interest.

Or. en

Amendment 132

Miriam Lexmann

Proposal for a regulation

Article 2 – paragraph 1 – point 62 a (new)

Text proposed by the Commission

Amendment

(62a) ‘reference year/period’ means a specific calendar year/period used as a point of comparison or benchmark for analysing data, trends, or events. It serves as a standard against which other data or changes are assessed or evaluated.

Or. en

Amendment 133
Miriam Lexmann

Proposal for a regulation
Article 3 – paragraph 3

Text proposed by the Commission

3. The Commission shall review and, if necessary, update the list of strategic raw materials by [OP please insert: **four** years after the date of entry into force of this Regulation], and every **4** four years thereafter.

Amendment

3. The Commission shall review and, if necessary, update the list of strategic raw materials by [OP please insert: **two** years after the date of entry into force of this Regulation], and every **2** four years thereafter.

Or. en

Amendment 134
Miriam Lexmann

Proposal for a regulation
Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. By derogation from Paragraph 3 of this Article, the Commission shall add additional raw materials on the list upon request of the Board if the Board or the Commission detects while exercising the monitoring, stress testing and information obligations under Articles 19.1, 19.2 and 20 of this regulation changes in supply and access to specific raw materials that risk endangering supply and the targets set out in Article 1.2.

Or. en

Amendment 135
Miriam Lexmann

Proposal for a regulation
Article 4 – paragraph 4 a (new)

4a. By derogation from Paragraph 3 of this Article, the Commission shall update the list upon request of the Board if the Board or the Commission detects while exercising the monitoring, stress testing and information obligations under Articles 19.1, 19.2 and 20 of this regulation changes in supply and access to specific raw materials that risk endangering supply and the targets set out in Article 1.

Or. en

Amendment 136

Maria Arena

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. Following an application of the project promoter and in accordance with the procedure established in Article 6, the Commission shall recognise as Strategic Projects raw material projects that meet the following criteria:

Amendment

1. Following an application of the project promoter and in accordance with the procedure established in Article 6, the Commission shall recognise as Strategic Projects raw material projects that **contributes to the objectives of this Regulation as set out in Article 1 and** meet the following criteria:

Or. en

Amendment 137

Anna Fotyga

Proposal for a regulation

Article 5 – paragraph 1 – point a

Text proposed by the Commission

(a) the project would make a meaningful contribution to the security of

Amendment

(a) the project would make a meaningful contribution to the security of

the *Union's* supply of strategic raw materials;

the *Union, including* supply of strategic raw materials;

Or. en

Amendment 138

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 5 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the project would contribute to reducing European Union dependency on non-democratic systemic rivals;

Or. en

Amendment 139

Fabio Massimo Castaldo

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(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;

(c) the project, **when based in a Member State or in a third country**, would be implemented sustainably **in accordance with the ‘do no significant harm’ principle within the meaning of Article 17 of Regulation (EU) 2020/852**, 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;

Or. en

Amendment 140

Maria Arena

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 ***by fulfilling the requirements of Annex III point 4***, in particular as regards the monitoring, prevention and minimisation of ***social and*** environmental impacts, ***and human rights violations*** (including respect of labour ***and gender*** rights), quality jobs potential and meaningful engagement with local communities and relevant social partners, and the use of transparent business practices with ***strong*** compliance policies to prevent and minimise risks of adverse impacts on the proper functioning of public administration, including corruption and bribery;

Or. en

Amendment 141

Maria Arena

Proposal for a regulation

Article 5 – paragraph 1 – point d

Text proposed by the Commission

(d) for projects in the Union, the establishment, operation or production of the project would have cross-border benefits beyond the Member State concerned, including for downstream sectors;

Amendment

(d) for projects in the Union, ***that the project contributes to the volumes required to achieve the self-sufficiency objectives in Article 1(2)(a) indent (i), (ii), and (iii) and that*** the establishment, operation or production of the project would have cross-border benefits beyond

the Member State concerned, including for downstream sectors;

Or. en

Amendment 142

Fabio Massimo Castaldo

Proposal for a regulation

Article 5 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) Information on sustainability performance and key metrics, such as greenhouse gas emissions, water usage, waste generation, and social impacts;

Or. en

Amendment 143

Maria Arena

Proposal for a regulation

Article 5 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) for projects in third countries that are emerging markets or developing economies, the project would be mutually beneficial for the Union and the third country concerned by adding value in that country.

(e) for projects in third countries that are emerging markets or developing economies, the project **would respect international standards and conventions on human rights and the environment, and** would be mutually beneficial for the Union and the third country concerned by adding value in that country. **This should include establishing corporate accountability mechanisms, and cooperation agreements to enable access to justice and redress for communities in third countries affected by the human rights and environmental violations of companies involved in the strategic projects covered by this Regulation.**

Or. en

Amendment 144

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 1 – point e

Text proposed by the Commission

(e) for projects in third countries that are emerging markets or developing economies, the project would be mutually beneficial for the Union and the third country concerned by **adding value** in that country.

Amendment

(e) for projects in third countries that are emerging markets or developing economies, the project would be mutually beneficial for the Union and the third country concerned by **respecting international standards and conventions and the highest environmental and human rights standards** in that country **and by adding local value, notably through inclusive business models in which local communities participate in decision-making, their rights are protected and they benefit from extractive activities**.

Or. en

Amendment 145

Fabio Massimo Castaldo

Proposal for a regulation

Article 5 – paragraph 1 – point e

Text proposed by the Commission

(e) for projects in third countries that are emerging markets or developing economies, the project would be mutually beneficial for the Union and the third country concerned by adding value in that country.

Amendment

(e) for projects in third countries that are emerging markets or developing economies, the project would be mutually beneficial for the Union and the third country concerned by adding **economic and social** value in that country, **reaching the benchmark established in Article 1(2)(b), and should be coherent with the Regulation (EU) 2017/821 (Conflict Minerals Regulation)**.

Or. en

Amendment 146

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 5 – paragraph 1 – point e

Text proposed by the Commission

(e) for projects in third countries that are emerging markets or developing economies, the project would be mutually beneficial for the Union and the third country concerned by adding value in that country.

Amendment

(e) for projects in third countries that are emerging markets or developing economies, the project would be mutually beneficial for the Union and the third country concerned by adding value in that country, ***as also measured by the third country following pragmatic consultations.***

Or. en

Amendment 147

Maria Arena

Proposal for a regulation

Article 6 – paragraph 1 – point d

Text proposed by the Commission

(d) a plan containing measures to ***facilitate*** public ***acceptance*** including, ***where appropriate***, the establishment of recurrent communication channels with the local communities and organisations, including social partners, the implementation of awareness-raising and information campaigns and the establishment of mitigation and compensation mechanisms;

Amendment

(d) a plan containing measures to ***ensure*** public ***participation and consent at all stages of the project*** including the establishment of recurrent communication ***and consultation*** channels with the local communities and organisations, including social partners, the implementation of awareness-raising and information campaigns and the establishment of mitigation and compensation mechanisms. ***Where the project involves resettlement, a plan detailing how legitimate tenure rights-holders will be identified and participate in the valuation process, and how compensation processes for loss of assets or lands are fair, timely and guaranteed;***

Amendment 148

Maria Arena

Proposal for a regulation

Article 6 – paragraph 1 – point f

Text proposed by the Commission

(f) a business plan evaluating the financial viability of the project;

Amendment

(f) a business plan evaluating the financial viability of the project, ***from exploration to end-of-life and waste management***;

Or. en

Amendment 149

Maria Arena

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt implementing acts establishing a template to be used by project promoters for the applications referred to in paragraph 1. The template may indicate how the information referred to in paragraph 1 shall be expressed. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37(2).

Amendment

2. The Commission is empowered to adopt implementing acts establishing a template to be used by project promoters for the applications referred to in paragraph 1. The template may indicate how the information referred to in paragraph 1 shall be expressed. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37(2) ***no later than 6 months after the entry into force of this Regulation***.

Or. en

Amendment 150

Dragoș Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau, Nicola Beer

Proposal for a regulation

Article 6 – paragraph 3

Text proposed by the Commission

3. Where the Commission considers that information provided in the application is incomplete, it shall give the applicant ***the opportunity*** to submit the additional information required to complete the application in a timely manner.

Amendment

3. Where the Commission considers that information provided in the application is incomplete, it shall give the applicant ***further clarifications regarding the missing information and the possibility*** to submit the additional information required to complete the application in a timely manner.

Or. en

Amendment 151

Maria Arena

Proposal for a regulation

Article 6 – paragraph 4

Text proposed by the Commission

4. The European Critical Raw Materials Board referred to in Article 34 ('the Board') shall, based on a fair and transparent process, discuss and issue an opinion on the completeness of the application and whether the proposed project fulfils the criteria set out in Article 5(1).

Amendment

4. The European Critical Raw Materials Board referred to in Article 34 ('the Board') shall, based on a fair and transparent process, discuss and issue an opinion on the completeness of the application and whether the proposed project fulfils the criteria set out in Article 5(1) ***no later than within 3 months of the application. The Board shall invite the relevant representatives from industry, local communities and civil society for these discussions, and issue an opinion following a broad consultation.***

Or. en

Amendment 152

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 6 – paragraph 9

Text proposed by the Commission

9. Projects which are no longer recognised as Strategic Projects shall lose all rights connected to that status under this Regulation.

Amendment

9. Projects which are no longer recognised as Strategic Projects shall lose all rights connected to that status under this Regulation. ***The project promoter shall ensure that no sensitive or classified information about EU critical raw materials is made publicly available on the website beyond what is required for fulfilling the transparency obligations in this paragraph.***

Or. en

Amendment 153

Anna Fotyga

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

1. Strategic Projects shall be considered to contribute to the security of supply of strategic raw materials ***in the Union.***

Amendment

1. Strategic Projects ***should take into account a holistic approach to geopolitical developments and*** shall be considered to contribute to the ***overall*** security of ***the transatlantic space through*** supply of strategic raw materials ***and reducing our dependency on hostile and unreliable countries.***

Or. en

Amendment 154

Fabio Massimo Castaldo

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

2. With regard to the environmental impacts addressed in Articles 6(4) and 16(1)(c) of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article

Amendment

2. With regard to the environmental impacts addressed in Articles 6(4) and 16(1)(c) of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article

9(1)(a) of Directive 2009/147/EC, Strategic Projects in the Union shall be considered as being of public interest or serving public health **and** safety, and may be considered as having an overriding public interest provided that all the conditions set out in those Directives are fulfilled.

9(1)(a) of Directive 2009/147/EC, Strategic Projects in the Union shall be considered as being of public interest, ***including when promoting environmental protection, social justice and ethical trade practices,*** or serving public health, safety **and economic interest**, and may be considered as having an overriding public interest provided that all the conditions set out in those Directives are fulfilled.

Or. en

Amendment 155
Maria Arena

Proposal for a regulation
Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Whether or not a Strategic Project meets the conditions laid down in paragraph 2, shall be discussed and agreed in cooperation with national authorities in charge of those legislative frameworks including ministries responsible for environmental and social matters.

Or. en

Amendment 156
Fabio Massimo Castaldo

Proposal for a regulation
Article 7 – paragraph 9

Text proposed by the Commission

Amendment

9. The project promoter shall establish and regularly update a dedicated project website with relevant information about the Strategic Project, including information on the environmental, social and economic impacts and benefits associated with the

9. The project promoter shall establish and regularly update a dedicated project ***website or a dedicated and well visible section of the company's main*** website with relevant information about the Strategic Project, including information on

Strategic Project. The website shall be freely accessible to the public and shall be available in a language or languages that can be easily understood by the local population.

the environmental, social and economic impacts and benefits associated with the Strategic Project. The website shall be freely accessible to the public and shall be available in a language or languages that can be easily understood by the local population.

Or. en

Amendment 157
Fabio Massimo Castaldo

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. By [OP please insert: 3 months after the date of entry into force of this Regulation], Member States shall designate one national competent authority which shall be responsible for facilitating and coordinating the permit-granting process for critical raw material projects and provide information on the elements referred to in Article 17.

Amendment

1. By [OP please insert: 3 months after the date of entry into force of this Regulation], Member States shall designate one national competent authority which shall be responsible for facilitating and coordinating the permit-granting process for critical raw material projects, ***including its environmental assessment***, and provide information on the elements referred to in Article 17.

Or. en

Amendment 158
Maria Arena

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. All dispute resolution procedures, litigation, appeals and judicial remedies related to the permit-granting process and the issuance of permits for Strategic Projects in the Union in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist

Amendment

3. All dispute resolution procedures, litigation, appeals and judicial remedies related to the permit-granting process and the issuance of permits for Strategic Projects in the Union in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist

in national law, shall be treated as urgent, if and to the extent to which national law provides for such urgency procedures and provided that the normally applicable rights of defence of individuals or of local communities would be respected. Project promoters of Strategic Projects shall participate in such urgency procedure, where applicable.

in national law, ***shall ensure a human rights and environmental and climate justice approach, and*** shall be treated as urgent, if and to the extent to which national law provides for such urgency procedures and provided that the normally applicable rights of defence of individuals or of local communities would be respected. Project promoters of Strategic Projects shall participate in such urgency procedure, where applicable.

Or. en

Amendment 159

Maria Arena

Proposal for a regulation

Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

In the case of Strategic Projects for which the obligation to carry out assessments of the effects on the environment arises simultaneously from Council Directive 92/43/EEC, Directives 2000/60/EC, 2008/98/EC, 2009/147/EC 2010/75/EU, 2011/92/EU or 2012/18/EU of the European Parliament and the Council, the national competent authority referred to in Article 8(1) shall ensure that a coordinated or a joint procedure fulfilling the requirements of that Union legislation is applied.

Amendment

In the case of Strategic Projects for which the obligation to carry out assessments of the effects on the environment arises simultaneously from Council Directive 92/43/EEC, Directives 2000/60/EC, 2008/98/EC, 2009/147/EC 2010/75/EU, 2011/92/EU or 2012/18/EU of the European Parliament and the Council, the national competent authority referred to in Article 8(1) shall ensure that a coordinated or a joint procedure fulfilling ***all*** the requirements of that Union legislation is applied.

Or. en

Amendment 160

Maria Arena

Proposal for a regulation

Article 11 – paragraph 4

Text proposed by the Commission

Amendment

4. The time-frame for consulting the public concerned on the environmental impact assessment report referred to in Article 5(1) of Directive 2011/92/EU shall not be longer than 90 days in the case of Strategic Projects.

4. The time-frame for consulting the public concerned on the environmental impact assessment report referred to in Article 5(1) of Directive 2011/92/EU shall not be longer than 90 days in the case of Strategic Projects, **but not shorter than 60 days**.

Or. en

Amendment 161
Maria Arena

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that national, regional and local authorities responsible for preparing plans, including zoning, spatial plans and land use plans, include in such plans, where appropriate, provisions for the development of critical raw materials projects. Priority shall be given to artificial and built surfaces, industrial sites, brownfield sites, **and, where appropriate, greenfield sites not usable for agriculture and forestry**.

Amendment

1. Member States shall ensure that national, regional and local authorities responsible for preparing plans, including zoning, spatial plans and land use plans, include in such plans, where appropriate, provisions for the development of critical raw materials projects. Priority shall be given to artificial and built surfaces, industrial sites, **and** brownfield sites.

Or. en

Amendment 162
Maria Arena

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. Where plans including provisions for the development of critical raw material projects are subject to an assessment pursuant to Directive 2001/42/EC and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall be

Amendment

2. Where plans including provisions for the development of critical raw material projects are subject to an assessment pursuant to Directive 2001/42/EC and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall be

combined. Where relevant, this combined assessment shall also address the impact on potentially affected water bodies and verify whether the plan would cause deterioration of the status or of the potential referred to in Article 4 of Directive 2000/60/EC or would potentially hamper that a water body achieves good status or good potential. Where relevant Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU, these impacts shall also be covered by the combined assessment.

combined. Where relevant, this combined assessment shall also address the impact on potentially affected water bodies and verify whether the plan would cause deterioration of the status or of the potential referred to in Article 4 of Directive 2000/60/EC or would potentially hamper that a water body achieves good status or good potential. Where relevant Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU, these impacts shall also be covered by the combined assessment.

Member States shall verify whether plans for the development of critical raw material projects would potentially impact the objectives of relevant environmental policies of the Union and include provisions in the plans for the mitigation of these impacts and, where feasible, avoid the developments of critical raw material projects in protected areas.

Or. en

Amendment 163

Maria Arena

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

1. The provisions set out in this Regulation are without prejudice to the obligations under **Articles 6 and 7 of** the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991.

Amendment

1. The provisions set out in this Regulation are without prejudice to the obligations under the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991.

Amendment 164

Maria Arena

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

2. All decisions adopted pursuant to this **Section** shall be made publicly available.

Amendment

2. All decisions adopted pursuant to this **Regulation** shall be made publicly available.

Or. en

Amendment 165

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 14 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) expedited processing of bureaucratic requirements directly related to the granting of Strategic Project status and the implementation of the Project;

Or. en

Amendment 166

Maria Arena

Proposal for a regulation

Article 14 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) assistance to project promoters to further increase the public ***acceptance of*** the project.

(b) assistance to project promoters to further increase the public ***participation and decision-making in relation to*** the project.

Amendment 167
Miriam Lexmann

Proposal for a regulation
Article 15 – paragraph 1 – point a

Text proposed by the Commission

(a) additional private sources of financing;

Amendment

(a) additional private sources of financing, ***in particular, generated through the Global Gateway initiative;***

Or. en

Amendment 168
Dragoș Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau, Nicola Beer

Proposal for a regulation
Article 17 – paragraph 1 – point a

Text proposed by the Commission

(a) the permit-granting process;

Amendment

(a) the permit-granting process ***and related bureaucratic processes required for obtaining the permit;***

Or. en

Amendment 169
Dragoș Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

1. Each Member State shall draw up a national programme for general exploration targeted at critical raw materials. Each Member State shall draw up the first such programme by [OP please

Amendment

1. Each Member State shall draw up a national programme for general exploration targeted at critical raw materials. Each Member State shall draw up the first such programme by [OP please

insert: 1 year after the date of entry into force of this Regulation]. The national programmes shall be reviewed and, if necessary, updated, at least every 5 years.

insert: 1 year after the date of entry into force of this Regulation]. The national programmes shall be reviewed and, if necessary, updated, at least every 3 years.

Or. en

Amendment 170
Anna Fotyga

Proposal for a regulation
Article 19 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) geopolitical developments and security challenges , including in the field of freedom of navigation;

Or. en

Amendment 171
Fabio Massimo Castaldo

Proposal for a regulation
Article 19 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) alternative supplies for raw materials;

Or. en

Amendment 172
Maria Arena

Proposal for a regulation
Article 19 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) risk and violation of human rights in third countries, including territories

with armed conflicts.

Or. en

Amendment 173
Fabio Massimo Castaldo

Proposal for a regulation
Article 19 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

*(da) trade in waste, scrap and
secondary raw materials.*

Or. en

Amendment 174
Maria Arena

Proposal for a regulation
Article 19 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

*(db) threats to biodiversity, sensitive
ecosystems and territorial rights of
indigenous peoples and rural
communities.*

Or. en

Amendment 175
**Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani,
Nathalie Loiseau**

Proposal for a regulation
Article 19 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission, in collaboration with the
national authorities participating in the
standing sub-group referred to in Article

The Commission, in collaboration with the
national authorities participating in the
standing sub-group referred to in Article

35(6), point (c), shall ensure that a stress test is performed for each strategic raw material's supply chain at least every **three** years. To that end, the standing sub-group referred to in Article 35(6), point (c) shall coordinate and divide the implementation of stress tests for the different strategic raw materials by the different participating authorities.

35(6), point (c), shall ensure that a stress test is performed for each strategic raw material's supply chain at least every **two** years. To that end, the standing sub-group referred to in Article 35(6), point (c) shall coordinate and divide the implementation of stress tests for the different strategic raw materials by the different participating authorities.

Or. en

Amendment 176

Fabio Massimo Castaldo

Proposal for a regulation

Article 19 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission

(a) where the raw material concerned is extracted, processed or recycled;

Amendment

(a) where the raw material concerned is **sustainably** extracted, processed or recycled;

Or. en

Amendment 177

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 19 – paragraph 3 – subparagraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) whether the raw materials are controlled by non-democratic systemic rivals and the extent to which the Union is dependent on the given raw material;

Or. en

Amendment 178

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 19 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

(c) factors that might affect supply, including but not limited to the geopolitical situation, logistics, energy supply, workforce or natural disasters;

Amendment

(c) factors that might affect supply, including but not limited to the geopolitical situation, logistics, energy supply, workforce or natural disasters, ***as well as the risk of human rights violations and lack of compliance with international sustainability standards and, when applicable, Union legislation;***

Or. en

Amendment 179

Fabio Massimo Castaldo

Proposal for a regulation

Article 19 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

(c) factors that might affect supply, including but not limited to the geopolitical situation, logistics, energy supply, workforce or natural disasters;

Amendment

(c) factors that might affect supply, including but not limited to the geopolitical situation, ***trade disputes, environmental restrictions, conservation measures, sustainability standards,*** logistics, energy supply, workforce or natural disasters;

Or. en

Amendment 180

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani

Proposal for a regulation

Article 19 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall ensure that no sensitive or classified information received from Member States or

aggregated from the Member States relating to Member States or EU critical raw materials strategic vulnerabilities or resilience is published on this website.

Or. en

Amendment 181
Fabio Massimo Castaldo

Proposal for a regulation
Article 20 – paragraph 2 – introductory part

Text proposed by the Commission

2. Member States shall identify key market operators along the critical raw materials value chain established in their territory and shall:

Amendment

2. Member States, ***after consulting relevant stakeholders and SMEs representatives***, shall identify key market operators along the critical raw materials value chain established in their territory and shall:

Or. en

Amendment 182
Fabio Massimo Castaldo

Proposal for a regulation
Article 24 – paragraph 2 – point b

Text proposed by the Commission

(b) set minimum amounts of demanded material to participate in the system, taking into account the expected number of interested participants and the need to ensure a manageable amount of participants.

Amendment

(b) set minimum amounts of demanded material ***without prejudice to the ability of small market actors*** to participate in the system, taking into account ***the aggregate needs of SMEs***, the expected number of interested participants and the need to ensure a manageable amount of participants.

Or. en

Amendment 183

Anna Fotyga

Proposal for a regulation

Article 24 – paragraph 5 – point b a (new)

Text proposed by the Commission

Amendment

(ba) Entities registered in or whose shares are controlled by Russia, China or Iran that are not currently on sanctions list mentioned in paragraph 5 must be analysed by competent authorities with additional scrutiny and have their credentials properly verified.

Or. en

Amendment 184

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 24 – paragraph 5 – point b a (new)

Text proposed by the Commission

Amendment

(ba) directly or indirectly owned or controlled by, or acting on behalf or at the direction of non-democratic countries designated as systemic rivals of the European Union controlling more than 50% of the supply for the given strategic raw material.

Or. en

Amendment 185

Maria Arena

Proposal for a regulation

Article 25 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) increase the collection of waste with high critical raw materials recovery

(a) increase the collection *and sorting* of waste with high critical raw materials

potential and ensure their introduction into the appropriate recycling system, with a view to maximising the availability and quality of recyclable material as an input to critical raw material recycling facilities;

recovery potential and ensure their introduction into the appropriate recycling system, with a view to maximising the availability and quality of recyclable material as an input to critical raw material recycling facilities;

Or. en

Amendment 186
Miriam Lexmann

Proposal for a regulation
Article 25 – paragraph 1 – point c

Text proposed by the Commission

(c) increase the use of secondary critical raw materials in manufacturing, including, where appropriate, by taking recycled content into account in award criteria related to public procurement;

Amendment

(c) increase the use of secondary critical raw materials in ***processing and*** manufacturing, including, where appropriate, by taking recycled content ***and recyclability in all according processes appropriately*** into account, ***including*** in award criteria related to public procurement;

Or. en

Amendment 187
Maria Arena

Proposal for a regulation
Article 25 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) The Union and the Member States shall guarantee in their regulations and national programs the consolidation of capacity building and technology transfer programs to promote the responsible recycling of critical minerals in producing countries.

Or. en

Amendment 188
Fabio Massimo Castaldo

Proposal for a regulation
Article 25 – paragraph 4

Text proposed by the Commission

4. The national measures referred to in paragraphs 1 and 2 shall be designed so as to avoid barriers to trade and distortions of competition in conformity with the TFEU.

Amendment

4. The national measures referred to in paragraphs 1 and 2 shall be designed so as to avoid barriers to trade, **export restrictions** and distortions of competition in conformity with the TFEU.

Or. en

Amendment 189
Fabio Massimo Castaldo

Proposal for a regulation
Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. From [OP please insert: 3 years after the date of entry into force of this Regulation], any natural or legal person that places on the market magnetic resonance imaging devices, wind energy generators, industrial robots, motor vehicles, light means of transport, cooling generators, heat pumps, electric motors, including where they are integrated in other products, automatic washing machines, tumble driers, microwaves, vacuum cleaners or dishwashers shall ensure that those products bear a conspicuous, clearly legible and indelible label indicating:

Amendment

1. From [OP please insert: 3 years after the date of entry into force of this Regulation], any natural or legal person that places on the market magnetic resonance imaging devices, wind energy generators, industrial robots, motor vehicles, light means of transport, cooling generators, heat pumps, electric motors, **loudspeakers**, including where they are integrated in other products, automatic washing machines, tumble driers, microwaves, vacuum cleaners or dishwashers shall ensure that those products bear a conspicuous, clearly legible and indelible label indicating:

Or. en

Amendment 190
Maria Arena

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Governments or organisations that have developed and oversee certification schemes related to the sustainability of critical raw materials ("scheme owners") may apply to have their schemes recognised by the Commission.

Amendment

Governments or ***multi-stakeholders*** organisations that have developed and oversee certification schemes related to the sustainability of critical raw materials ("scheme owners") may apply to have their schemes recognised by the Commission.

Or. en

Amendment 191

Miriam Lexmann

Proposal for a regulation

Article 29 – paragraph 3

Text proposed by the Commission

3. The Commission shall periodically verify that recognised schemes continue to fulfil the criteria laid down in Annex IV.

Amendment

3. The Commission shall periodically verify that recognised schemes continue to fulfil the criteria laid down in Annex IV ***and complement the Corporate Due Diligence Directive and Corporate Sustainable Reporting Directive to ensure Strategic Projects fulfill the highest environmental and human rights standards.***

Or. en

Amendment 192

Maria Arena

Proposal for a regulation

Article 29 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The Commission shall develop a portal where stakeholders are able to submit feedback and information about

evidence of repeated or significant cases where economic operators implementing a recognised scheme have failed to fulfil the requirements of that scheme, in order for the Commission to be able to make an independent assessment.

Or. en

Amendment 193

Maria Arena

Proposal for a regulation

Article 29 – paragraph 6

Text proposed by the Commission

6. Where the Commission identifies deficiencies in a recognised scheme affecting the basis for the recognition, it may grant the scheme owner an appropriate period of time to take remedial action.

Amendment

6. Where the Commission identifies, ***in accordance with paragraph 5 and 5a,*** deficiencies in a recognised scheme affecting the basis for the recognition, it may grant the scheme owner an appropriate period of time to take remedial action. ***This period shall not be longer than 6 months.***

Or. en

Amendment 194

Maria Arena

Proposal for a regulation

Article 29 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. A company's membership in a recognised certification scheme recognized pursuant to paragraph 2 shall not exempt it from its obligations under this Regulation, Union, national and International law.

Or. en

Amendment 195
Maria Arena

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with Article 36 to supplement this Regulation by establishing rules for the calculation and verification of the environmental footprint of different critical raw materials, in accordance with Annex V and taking into account scientifically sound assessment methods and relevant international standards. The calculation and verification rules shall identify which *is* the most important impact *category*. *The footprint declaration shall be limited to that impact category.*

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 36 to supplement this Regulation by establishing rules for the calculation and verification of the environmental footprint of different critical raw materials ***no later than 31 December 2025***, in accordance with Annex V and taking into account scientifically sound assessment methods and relevant international standards. The calculation and verification rules shall identify which ***are*** the most important impact ***categories for each critical raw material, including inter alia, carbon footprint, impact on biodiversity, water consumption and waste disposal.***

Or. en

Amendment 196
Maria Arena

Proposal for a regulation
Article 30 – paragraph 2

Text proposed by the Commission

2. The Commission may adopt calculation and verification rules for a specific critical raw material *if* it has concluded, having considered the various relevant environmental impact categories, that the critical raw material in question has *a* significant environmental footprint and that therefore an obligation to declare the environmental footprint of that material regarding the most important impact *category*, when placing it on the market, is necessary and proportionate to contribute to the Union's climate and environmental

Amendment

2. The Commission may adopt calculation and verification rules for a specific critical raw material ***once*** it has concluded, having considered the various relevant environmental impact categories, that the critical raw material in question has ***an overall*** significant environmental footprint and that therefore an obligation to declare the environmental footprint of that material regarding the most important impact ***categories***, when placing it on the market, is necessary and proportionate to contribute to the Union's climate and

objectives by facilitating the supply of critical raw materials with lower environmental footprint.

environmental objectives by facilitating the supply of critical raw materials with lower environmental footprint.

Or. en

Amendment 197

Maria Arena

Proposal for a regulation

Article 30 – paragraph 4 – point b

Text proposed by the Commission

(b) ensure that any such measure is not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to international trade and is no more trade-restrictive than necessary to achieve the Union's climate and environmental objectives, ***having regard to the ability of third-country suppliers to comply with such a declaration such that aggregate trade flows and critical raw materials costs are not disproportionately affected;***

Amendment

(b) ensure that any such measure is not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to international trade and is no more trade-restrictive than necessary to achieve the Union's climate and environmental objectives;

Or. en

Amendment 198

Fabio Massimo Castaldo

Proposal for a regulation

Article 30 – paragraph 4 – point b

Text proposed by the Commission

(b) ensure that any such measure is not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to international trade and is no more trade-restrictive than necessary to achieve the Union's climate and environmental objectives, having regard to the ability of third-country suppliers to comply with such a declaration such that

Amendment

(b) ensure that any such measure is not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to international trade and ***customs procedures, and*** is no more trade-restrictive than necessary to achieve the Union's climate, ***social*** and environmental objectives, having regard to the ability of third-country suppliers to comply with

aggregate trade flows and critical raw materials costs are not disproportionately affected;

such a declaration such that aggregate trade flows and critical raw materials costs are not disproportionately affected;

Or. en

Amendment 199

Maria Arena

Proposal for a regulation

Article 30 – paragraph 4 – point c

Text proposed by the Commission

Amendment

(c) assess whether the measure would contribute to achieving the Union's climate and environmental objectives without disproportionately impacting the ability of Union industry to source the critical raw material in question.

deleted

Or. en

Amendment 200

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Strategic Partnerships concluded by the Union with third countries shall contain concrete measures contributing towards:

(i) improving the resilience and sustainability of the Union's supply of critical raw materials listed in Annex II;

(ii) the benchmark set out in Article 1, paragraph 2, point (b);

(iii) improving cooperation and shared responsibility along the critical raw materials value chain between the Union and partner countries in achieving the

agreed partnership objectives, while respecting the policy space of the EU and of the partner countries;

(iv) the economic and social development in partner countries, in particular for emerging and developing economies, through a governance framework that prioritises human rights, while also promoting the uptake of environmentally sustainable and circular economy practices and decent working conditions;

(v) the increase of local value addition by facilitating the manufacturing of finished and semi-finished goods in relevant downstream industries, including via the facilitation or support of private and public investment;

(ix) The transfer of knowledge and technology as well as transfer of patents where this would be determinant for moving up the value chain for the partner country

(vi) the recognition of the rights of Free, Prior and Informed Consent (FPCI) of Indigenous People and Local Communities;

(vii) the full transparency of the mining sector in relation to revenues and contracts, in line with Extractive Industries Transparency Initiative (EITI) requirements, including regarding environmental transparency;

(viii) implementation of the United Nations Principles on Business and Human Rights (UNGP) and the Protect, Respect and Remedy framework.

Or. en

Amendment 201

Maria Arena

Proposal for a regulation

Article 33 – paragraph -1 (new)

-1. *The conclusion of Strategic partnerships in the framework of this Regulation shall be conditioned to the respect of international standards and conventions on human rights, environment, and governance, and to the prior ratification by third countries of international treaties and conventions referred to in Annex III, paragraph 4.*

Or. en

Amendment 202

Maria Arena

Proposal for a regulation

Article 33 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The Board shall periodically discuss:

1. ***In order to evaluate the implementation and the impacts of this Regulation,*** the Board shall periodically discuss:

Or. en

Amendment 203

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point a – introductory part

Text proposed by the Commission

Amendment

(a) the extent to which Strategic Partnerships concluded by the Union contribute towards:

(a) the extent to which Strategic Partnerships concluded by the Union contribute towards ***the objectives laid down in paragraph 1:***

Or. en

Amendment 204

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point a – point i

Text proposed by the Commission

Amendment

(i) *improving the Union's security of supply;* *deleted*

Or. en

Amendment 205

Anna Fotyga

Proposal for a regulation

Article 33 – paragraph 1 – point a – point i

Text proposed by the Commission

Amendment

(i) improving the Union's security of supply; (i) improving the Union's security, *including the security* of supply;

Or. en

Amendment 206

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) *the benchmark set out in Article 1, paragraph 2, point (b);* *deleted*

Or. en

Amendment 207

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) improving cooperation along the critical raw materials value chain between the Union and partner countries;

deleted

Or. en

Amendment 208

Fabio Massimo Castaldo

Proposal for a regulation

Article 33 – paragraph 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) improving cooperation along the critical raw materials value chain between the Union and partner countries;

(iii) improving cooperation along the critical raw materials value chain between the Union and partner countries *by harmonizing of regulatory frameworks, standards and certificates, prompting investment, encouraging public-private partnerships and exploring sector-specific collaboration;*

Or. en

Amendment 209

Anna Fotyga

Proposal for a regulation

Article 33 – paragraph 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) improving cooperation along the critical raw materials value chain between the Union and partner countries;

(iii) improving cooperation *and coordination* along the critical raw materials value chain between the Union and partner countries, *in particular like-minded states; especially the G7, as well as EFTA members or EU candidate countries such as Ukraine;*

Amendment 210

Maria Arena

Proposal for a regulation

Article 33 – paragraph 1 – point a – point iii

Text proposed by the Commission

(iii) improving cooperation along the critical raw materials value chain between the Union and partner countries;

Amendment

(iii) improving cooperation along the critical raw materials value chain between the Union and partner countries, ***and ensuring the implementation of human rights and environmental due-diligence mechanisms by all actors involved;***

Or. en

Amendment 211

Miriam Lexmann

Proposal for a regulation

Article 33 – paragraph 1 – point a – point iii

Text proposed by the Commission

(iii) improving cooperation along the critical raw materials value chain between the Union and partner countries;

Amendment

(iii) improving cooperation along the critical raw materials value chain between the Union and partner countries, ***including through the Minerals Security Partnership and the Conference on Critical Materials and Minerals;***

Or. en

Amendment 212

Anna Fotyga

Proposal for a regulation

Article 33 – paragraph 1 – point c – point i

Text proposed by the Commission

(i) the potential contribution to

Amendment

(i) the potential contribution ***to***

security of supply, taking into account a third country's potential reserves, extraction, processing and recycling capacities related to critical raw materials;

security of the EU, not limited to security of supply, taking into account a third country's ***policies on the global stage in such important areas such as Russia's aggression on Ukraine, counter-terrorism cooperation, and also*** potential reserves, extraction, processing and recycling capacities related to critical raw materials, ***as well as other challenges, such as transport routes***;

Or. en

Amendment 213

Fabio Massimo Castaldo

Proposal for a regulation

Article 33 – paragraph 1 – point c – point i

Text proposed by the Commission

(i) the potential contribution to security of supply, taking into account a third country's potential reserves, extraction, processing and recycling capacities related to critical raw materials;

Amendment

(i) the potential contribution to security of supply ***and diversification***, taking into account a third country's potential reserves, extraction, processing and recycling capacities related to critical raw materials ***as well as its reliability as a supplier***;

Or. en

Amendment 214

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point c – point i a (new)

Text proposed by the Commission

Amendment

(ia) whether strategic environmental impact assessments and integrated spatial planning are implemented;

Or. en

Amendment 215

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point c – point i b (new)

Text proposed by the Commission

Amendment

(ib) whether the principle of prevention and precautionary principle is respected;

Or. en

Amendment 216

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point c – point ii

Text proposed by the Commission

Amendment

(ii) whether a third **country's** regulatory framework ensures the monitoring, prevention **and** minimisation **of** environmental impacts, the use of socially responsible practices including respect of human and labour rights and meaningful engagement with local communities, the use of transparent business practices and the prevention of adverse impacts on the proper functioning of public administration and the rule of law;

(ii) whether a third **country expresses interest in ensuring that its** regulatory framework **or its effective implementation** ensures the monitoring, prevention, minimisation **and compensation of adverse social and** environmental impacts **of mining**, the use of socially responsible practices including respect of human and labour rights and meaningful engagement with **and active participation in strategic projects decision-making by of affected** local communities, **in particular indigenous people**, the use of transparent **and responsible** business practices, **in line with the UN Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises and Due Diligence Guidelines for Responsible Supply Chains of Minerals from conflict-affected and high-risk areas the Convention on Biodiversity and the Kunming-Montreal Global Biodiversity**

Framework, and the prevention of adverse impacts on the proper functioning of public administration and the rule of law;

Or. en

Amendment 217

Maria Arena

Proposal for a regulation

Article 33 – paragraph 1 – point c – point ii

Text proposed by the Commission

(ii) whether a third country's regulatory framework ensures the monitoring, prevention and minimisation of environmental impacts, ***the use of socially responsible practices*** including respect of ***human and*** labour rights and meaningful engagement with local communities, the use of transparent business practices and the prevention of adverse impacts on the proper functioning of public administration and the rule of law;

Amendment

(ii) whether a third country's regulatory framework ***and the governance framework for its implementation*** ensures the monitoring, prevention and minimisation of ***social and*** environmental impacts, ***human rights violations*** (including respect of labour, ***gender and multicultural*** rights), ***quality jobs potential***, and meaningful engagement with local communities, ***the respect of free, prior and informed consent with indigenous peoples***, and the use of transparent business practices and the prevention of adverse impacts on the proper functioning of public administration and the rule of law;

Or. en

Amendment 218

Fabio Massimo Castaldo

Proposal for a regulation

Article 33 – paragraph 1 – point c – point ii

Text proposed by the Commission

(ii) whether a third country's regulatory framework ensures the monitoring, prevention and minimisation of environmental impacts, the use of socially responsible practices including respect of

Amendment

(ii) whether a third country's regulatory framework ensures the monitoring, prevention and minimisation of environmental ***and social*** impacts, the use of socially responsible practices including

human and labour rights and meaningful engagement with local communities, the use of transparent business practices and the prevention of adverse impacts on the proper functioning of public administration and the rule of law;

respect of human and labour rights and meaningful engagement with local communities, the use of ***accountable and*** transparent business practices and the prevention of adverse impacts on ***local communities and*** the proper functioning of public administration and the rule of law;

Or. en

Amendment 219

Anna Fotyga

Proposal for a regulation

Article 33 – paragraph 1 – point c – point iii

Text proposed by the Commission

(iii) whether there are existing cooperation agreements between a third country and the Union and, for emerging markets and developing economies, the potential for the deployment of Global Gateway investment projects.

Amendment

(iii) whether there are existing cooperation agreements between a third country and the Union and, for emerging markets and developing economies, the potential for the deployment of Global Gateway investment projects, ***as well compliance with EU's CFSP priorities, such as threats and challenges emanating from Russia, the PRC, Iran or international terrorist organisations;***

Or. en

Amendment 220

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point c – point iii a (new)

Text proposed by the Commission

Amendment

(iiia) whether civil society participation processes are in place in the partner country to enable participation of the public in the implementation of the partnership;

Amendment 221

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 1 – point c – point iii b (new)

Text proposed by the Commission

Amendment

(iiib) contributing to the economic and social developments in partner countries, in particular for emerging and developing economies, through a governance framework that prioritises human rights, while also promoting the uptake of environmentally sustainable and circular economy practices and decent working conditions;

Or. en

Amendment 222

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau, Nicola Beer

Proposal for a regulation

Article 33 – paragraph 1 – point c – point iv a (new)

Text proposed by the Commission

Amendment

(iva) the potential to build new partnerships and create a mutually beneficial cooperation with long-term geopolitical gains;

Or. en

Amendment 223

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 33 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. reducing strategic dependencies for critical raw materials on non-democratic systemic rivals of the Union;

Or. en

Amendment 224

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 2

Text proposed by the Commission

Amendment

2. The Board shall, in the context of paragraph 1 and in so far as relates to emerging market and developing economies, ensure cooperation with other relevant coordination fora, including those established as part of the Global Gateway strategy.

2. The Board shall, in the context of paragraph 1 **and 2** and in so far as relates to emerging market and developing economies, ensure cooperation **and policy coherence for sustainable development, as enshrined in the UN 2030 Agenda**, with other relevant coordination fora, including those established as part of the Global Gateway strategy **and the Union's common commercial policy, including its investment components, and its Trade and Sustainable Development approach;**

Or. en

Amendment 225

Anna Fotyga

Proposal for a regulation

Article 33 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. Member States **shall**:

3. Member States:

Or. en

Amendment 226

Maria Arena

Proposal for a regulation

Article 33 – paragraph 3 – point a

Text proposed by the Commission

(a) coordinate with the Commission to ensure coherence between their bilateral cooperation with relevant third countries and the Union's ***non-binding*** Strategic Partnerships with third countries, whose scope at least includes critical raw materials value chain;

Amendment

(a) coordinate with the Commission to ensure coherence between their bilateral cooperation with relevant third countries and the Union's ***binding*** Strategic Partnerships with third countries, whose scope at least includes critical raw materials value chain, ***and the guarantee of knowledge and technology transfer for mutual benefit between Member States and third countries;***

Or. en

Amendment 227

Fabio Massimo Castaldo

Proposal for a regulation

Article 33 – paragraph 3 – point a

Text proposed by the Commission

(a) coordinate with the Commission to ensure coherence between their bilateral cooperation with relevant third countries and the Union's non-binding Strategic Partnerships with third countries, whose scope at least includes critical raw materials value chain;

Amendment

(a) coordinate with the Commission to ensure coherence between their bilateral cooperation with relevant third countries and the Union's ***binding and*** non-binding Strategic Partnerships with third countries, whose scope at least includes critical raw materials value chain;

Or. en

Amendment 228

Anna Fotyga

Proposal for a regulation

Article 33 – paragraph 3 – point a

Text proposed by the Commission

(a) coordinate with the Commission to ensure coherence between their bilateral cooperation with relevant third countries and the Union's non-binding Strategic Partnerships with third countries, whose scope at least includes critical raw materials value chain;

Amendment

(a) **may** coordinate with the Commission to ensure coherence between their bilateral cooperation with relevant third countries and the Union's non-binding Strategic Partnerships with third countries, whose scope at least includes critical raw materials value chain;

Or. en

Amendment 229

Anna Fotyga

Proposal for a regulation

Article 33 – paragraph 3 – point b

Text proposed by the Commission

(b) support the Commission in the implementation of the cooperation measures set out in Strategic Partnerships.

Amendment

(b) **shall** support the Commission in the implementation of the cooperation measures set out in Strategic Partnerships.

Or. en

Amendment 230

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani, Nathalie Loiseau

Proposal for a regulation

Article 33 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) seek to reduce their bilateral strategic dependencies on non-democratic systemic rivals;

Or. en

Amendment 231

Anna Fotyga

Proposal for a regulation
Article 33 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The strategic partners should also be evaluated taking into account challenges arising from transport restraints, including resulting from both the lack of proper infrastructure or problematic ownership or insecure transport routes. The Commission should address these challenges in cooperation with Member States and other institutions.

Or. en

Amendment 232
Fabio Massimo Castaldo

Proposal for a regulation
Article 35 – paragraph 2

Text proposed by the Commission

Amendment

2. Each Member State shall appoint a high-level representative to the Board. Where relevant as regards the function and expertise, a Member State may appoint different representatives in relation to different tasks of the Board. Each member of the Board shall have an alternate.

2. Each Member State shall appoint a high-level representative **to the Board and the European Parliament shall appoint its representatives** to the Board. Where relevant as regards the function and expertise, a Member State may appoint different representatives in relation to different tasks of the Board. Each member of the Board shall have an alternate .

Or. en

Amendment 233
Fabio Massimo Castaldo

Proposal for a regulation
Article 35 – paragraph 6 – subparagraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) a subgroup bringing together industry representatives from the strategic sectors involved, with particular attention to the representatives of national SMEs

Or. en

Amendment 234

Maria Arena

Proposal for a regulation

Article 35 – paragraph 6 – subparagraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) a subgroup on sustainability to discuss the provisions of Article 5(1)(c) and their implementation;

Or. en

Amendment 235

Dragoş Tudorache, Hilde Vautmans, Javier Nart, Ilhan Kyuchyuk, Malik Azmani

Proposal for a regulation

Article 35 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. a sub-group bringing together Member States representatives and representatives of EU strategic partners to coordinate and explore avenues for cooperation and coordination in achieving the strategic objectives of this Regulation, including by leveraging strategic coordination fora such as the EU-US Trade and Technology Council.

Or. en

Amendment 236

Maria Arena

Proposal for a regulation

Article 35 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Where appropriate, the Board **may** invite experts, other third parties or representatives of third countries to attend meetings of the standing or temporary sub-groups referred to in paragraph 6 as observers or to provide written contributions.

Amendment

Where appropriate, the Board **shall** invite experts, ***representatives from industry, civil society, academia, trade unions and*** other third parties or representatives of third countries to attend meetings of the standing or temporary sub-groups referred to in paragraph 6 as observers or to provide written contributions.

Or. en

Amendment 237

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 35 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Where appropriate, the Board may invite experts, other third parties or representatives of third countries to attend meetings of the standing or temporary sub-groups referred to in paragraph 6 as observers or to provide written contributions.

Amendment

Where appropriate, the Board may invite experts, ***academics, think tanks, CSOs and*** other third parties or representatives of third countries to attend meetings of the standing or temporary sub-groups referred to in paragraph 6 as observers or to provide written contributions.

Or. en

Amendment 238

Maria Arena

Proposal for a regulation

Article 44 a (new)

Text proposed by the Commission

Amendment

Article 44a

Natural or legal persons' substantiated concerns

1. Natural or legal persons may submit substantiated concerns to competent authorities when they consider that one or more project promoter, off-takers, or a national competent authority referred to in Article 8(1) are not complying with this Regulation.

2. Competent authorities shall, without undue delay, diligently and impartially assess the substantiated concerns, including whether the claims are well-founded, and take the necessary steps, including carrying out checks and conducting hearings of project promoters, off-takers, or national competent authorities referred to in Article 8(1), with a view to detecting potential non-compliance with this Regulation.

3. Within 30 days of receiving a substantiated concern, if not otherwise stated in national law, the competent authority shall inform the persons referred to in paragraph 1, who submitted the substantiated concerns, of the follow-up given to the submission and shall provide the reasons for it.

4. Without prejudice to the obligations pursuant to Directive (EU) 2019/1937 of the European Parliament and of the Council, Member States shall provide for measures to protect the identity of the natural or legal persons who submit substantiated concerns or who conduct investigations with the aim of verifying compliance by operators or traders with this Regulation.

Or. en

Amendment 239
Maria Arena

Proposal for a regulation
Article 44 b (new)

Text proposed by the Commission

Amendment

Article 44b

Access to justice

1. Any natural or legal person having a sufficient interest, as determined in accordance with the existing national systems of legal remedies, including where such persons meet the criteria, if any, laid down in the national law, including persons who have submitted a substantiated concern in accordance with Article 44a, shall have access to administrative or judicial procedures to review the legality of the decisions, acts or failure to act of the competent authorities under this Regulation.

2. This Regulation shall be without prejudice to any provisions of national law which regulate access to justice and those which require that administrative review procedures be exhausted prior to recourse to judicial proceedings.

Or. en

Amendment 240
Radosław Sikorski

Proposal for a regulation
Annex I – Section 1 – paragraph 1 – point p a (new)

Text proposed by the Commission

Amendment

(pa) Erbium

Or. en

Justification

Erbium's strategic importance in Space and Defense applications stems from its usage in Erbium-doped fiber amplifiers (EDFAs) for efficient signal amplification in fiber optic communication systems, its role as a dopant in erbium-doped lasers for various satellite applications, and its neutron absorption properties for radiation shielding, protecting sensitive components from radiation damage in satellite systems.

Amendment 241
Radosław Sikorski

Proposal for a regulation
Annex I – Section 1 – paragraph 1 – point p b (new)

Text proposed by the Commission

Amendment

(pb) Europium

Or. en

Justification

Europium's strategic significance in Space and Defense applications is attributed to its usage as a component in europium-doped phosphors for cathode ray tubes and fluorescent lighting, europium-doped lasers for data transmission and scientific research, and europium-doped glass for filtering and color correction in satellite systems. These diverse applications leverage europium's unique properties to enhance the performance and functionality of components and subsystems critical to space-based operations.

Amendment 242
Radosław Sikorski

Proposal for a regulation
Annex I – Section 1 – paragraph 1 – point p c (new)

Text proposed by the Commission

Amendment

(pc) Lanthanum

Or. en

Justification

Lanthanum is used as a component in some electrode materials, such as lanthanum strontium cobalt electrodes, in satellite systems. Electrode materials are essential for various applications, including energy storage and conversion. In the context of satellite systems, lanthanum-based electrode materials are utilized in components such as fuel cells and batteries. These power storage systems play a critical role in providing electrical energy for satellite operations, including communication, data processing, and scientific experiments.

Amendment 243
Radosław Sikorski

Proposal for a regulation

Annex I – Section 1 – paragraph 1 – point p d (new)

Text proposed by the Commission

Amendment

(pd) Ytterbium

Or. en

Justification

Ytterbium's strategic importance in the space and defense sectors stems from its use in fiber lasers for optical communication systems, atomic clocks for satellite navigation, and nuclear batteries for long-term power generation. Ytterbium's contributions enhance the efficiency, precision and reliability of communication, navigation, and power systems critical to space-based operations. Sustained and guaranteed access to Ytterbium will be essential for the sound continuation and development of the Galileo next generation, as Ytterbium is an essential RM for atomic clocks.

Amendment 244

Radosław Sikorski

Proposal for a regulation

Annex I – Section 1 – paragraph 1 – point p e (new)

Text proposed by the Commission

Amendment

(pe) Yttrium

Or. en

Justification

Yttrium's importance for the space sector lies in its utilization in electronic screens, such as LCDs, and laser materials, particularly YAG lasers. Yttrium's incorporation in electronic screens enhances their optical and electrical properties, improving the performance and quality of visual interfaces and data displays in satellite systems. Additionally, its role in YAG lasers enables efficient light amplification and precise wavelength control, supporting various satellite-based applications like communication, remote sensing, and scientific research.

Amendment 245

Maria Arena

Proposal for a regulation

Annex III – point 2 – point d

Text proposed by the Commission

(d) whether the project is in line with the Union's development cooperation and foreign policy objectives.

Amendment

(d) whether the project is in line with the Union's development cooperation and foreign policy objectives, ***as well as with international human rights law, due diligence and international environmental law.***

Or. en

Amendment 246

Maria Arena

Proposal for a regulation

Annex III – point 4 – point b a (new)

Text proposed by the Commission

Amendment

(ba) [OP please insert: reference to Regulation of the European Parliament and of the Council on making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation], in so far as it applies to the project promoter;

Or. en

Amendment 247

Maria Arena

Proposal for a regulation

Annex III – point 4 – point b b (new)

Text proposed by the Commission

Amendment

(bb) 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, in so far as it applies to the project promoter;

Amendment 248

Maria Arena

Proposal for a regulation

Annex III – point 4 – point b c (new)

Text proposed by the Commission

Amendment

(bc) Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control), in so far as it applies to the project promoter;

Or. en

Amendment 249

Maria Arena

Proposal for a regulation

Annex III – point 4 – point b d (new)

Text proposed by the Commission

Amendment

(bd) [OP please insert: reference to the Regulation on Nature restoration], in so far as it applies to the project promoter;

Or. en

Amendment 250

Maria Arena

Proposal for a regulation

Annex III – point 4 – point b e (new)

Text proposed by the Commission

Amendment

(be) Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries, in so far

as it applies to the project promoter;

Or. en

Amendment 251

Maria Arena

Proposal for a regulation

Annex III – point 4 – point b f (new)

Text proposed by the Commission

Amendment

(bf) [OP please insert: Directive on the Protection of journalists and human rights defenders from manifestly unfounded or abusive court proceedings]

Or. en

Amendment 252

Maria Arena

Proposal for a regulation

Annex III – point 4 – point b g (new)

Text proposed by the Commission

Amendment

(bg) [OP please insert: reference to Regulation on Batteries and waste batteries], in so far as it applies to the project promoter;

Or. en

Amendment 253

Maria Arena

Proposal for a regulation

Annex III – point 4 – point c a (new)

Text proposed by the Commission

Amendment

(ca) ILO Convention on Indigenous and Tribal Peoples (No. 169);

Amendment 254

Maria Arena

Proposal for a regulation

Annex III – point 4 – point c b (new)

Text proposed by the Commission

Amendment

**(cb) ILO Convention on Safety and
Health in Mines Convention (No. 176);**

Or. en

Amendment 255

Maria Arena

Proposal for a regulation

Annex III – point 4 – point c c (new)

Text proposed by the Commission

Amendment

**(cc) ILO Declaration on Fundamental
Principles and Rights at Work;**

Or. en

Amendment 256

Maria Arena

Proposal for a regulation

Annex III – point 4 – point h a (new)

Text proposed by the Commission

Amendment

**(ha) OECD Anti-Bribery Convention
and Anti-Corruption Guidelines;**

Or. en

Amendment 257

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – point 4 – point i a (new)

Text proposed by the Commission

Amendment

(ia) The principles of Free, Prior and Informed Consent (FPIC) as established in the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the UN General Assembly in 2007;

Or. en

Amendment 258

Maria Arena

Proposal for a regulation

Annex III – point 4 – point i a (new)

Text proposed by the Commission

Amendment

(ia) United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295);

Or. en

Amendment 259

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – point 4 – point i b (new)

Text proposed by the Commission

Amendment

(ib) The International Bill of Human Rights, including the international covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;

Or. en

Amendment 260

Maria Arena

Proposal for a regulation

Annex III – point 4 – point i b (new)

Text proposed by the Commission

Amendment

**(ib) EIB Eligibility, Excluded Activities
and Excluded sectors list;**

Or. en

Amendment 261

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – point 4 – point i c (new)

Text proposed by the Commission

Amendment

**(ic) ILO Declaration on Fundamental
Principles and Rights at Work;**

Or. en

Amendment 262

Maria Arena

Proposal for a regulation

Annex III – point 4 – point i c (new)

Text proposed by the Commission

Amendment

(ic) UN Paris Agreement;

Or. en

Amendment 263

Jordi Solé

on behalf of the Verts/ALE Group

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

Text proposed by the Commission

Amendment

**(id) Eight fundamental ILO
Conventions as defined under the ILO
Declaration on Fundamental Principles
and Rights at work;**

Or. en

Amendment 264
Maria Arena

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

Text proposed by the Commission

Amendment

**(id) Convention on Biological
Diversity,**

Or. en

Amendment 265
Jordi Solé
on behalf of the Verts/ALE Group

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

Text proposed by the Commission

Amendment

**(ie) Ten Principles of the United
Nations Global Compact;**

Or. en

Amendment 266
Jordi Solé
on behalf of the Verts/ALE Group

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

Text proposed by the Commission

Amendment

(if) UN Paris Agreement;

Or. en

Amendment 267
Jordi Solé
on behalf of the Verts/ALE Group

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

Text proposed by the Commission

Amendment

**(ig) ILO Convention 169 related to
Indigenous and Tribal Peoples;**

Or. en

Amendment 268
Maria Arena

Proposal for a regulation
Annex III – point 4 – paragraph -1 (new)

Text proposed by the Commission

Amendment

**-1 Project promoters shall provide
evidence of identification, assessment,
prevention and mitigation of the following
categories of environmental and social
risks:**

**a) environment, climate and human
health considering direct, induced,
indirect and cumulative effects, including
but not limited to:**

**(i) air, including but not limited to air
pollution, including greenhouse gas
emissions;**

**(ii) water, including seabed and marine
environment and including but not limited**

to water pollution, water use, water quantities (flooding or draughts) and access to water;

(iii) soil, including but not limited to soil pollution, soil erosion, land use and land degradation;

(iv) biodiversity, including but not limited to damage to habitats, wildlife, flora and ecosystems, including ecosystem services;

(v) hazardous substances;

(vi) noise and vibration;

(vii) plant safety;

(viii) energy use;

(ix) waste and residues;

(b) human rights, labour rights and industrial relations, including but not limited to:

(i) occupational health and safety;

(ii) child labour,

(iii) forced labour,

(iv) discrimination,

(v) trade union freedoms;

(c) community life, including that of indigenous peoples.

Or. en

Amendment 269

Maria Arena

Proposal for a regulation

Annex III – point 4 – paragraph 1

Text proposed by the Commission

Amendment

Project promoters may also attest compliance with the criterion referred to in Article 5(1), point (c) by:

deleted

(a) providing evidence that the project concerned is individually certified as part of a recognised scheme referred to in

Article 29; or

(b) committing to obtain certification for the project concerned as part of a recognised scheme referred to in Article 29 and providing sufficient evidence that when implemented the project concerned will be able to meet the criteria for such certification.

Or. en

Amendment 270

Jordi Solé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – point 4 a (new)

Text proposed by the Commission

Amendment

4a. Social and environmental risk categories:

(a) environment, climate and human health considering direct, induced, indirect and cumulative effects, including but not limited to:

(i) air, including but not limited to air pollution, including greenhouse gas emissions;

(ii) water, including seabed and marine environment and including but not limited to water pollution, water use, water quantities (flooding or droughts) and access to water;

(iii) soil, including but not limited to soil pollution, soil erosion, land use and land degradation;

(iv) biodiversity, including but not limited to damage to habitats, wildlife, flora and ecosystems, including ecosystem services;

(v) hazardous substances;

(vi) noise and vibration;

(vii) plant safety;

- (viii) *energy use;*
- (ix) *waste and residues;*
- (b) *human rights, labour rights and industrial relations, including but not limited to:*
 - (i) *occupational health and safety;*
 - (ii) *child labour;*
 - (iii) *forced labour;*
 - (iv) *discrimination;*
 - (v) *trade union freedoms;*
- (c) *community life, including that of indigenous peoples;*

Or. en

Amendment 271
Miriam Lexmann

Proposal for a regulation
Annex IV – paragraph 1 – introductory part

Text proposed by the Commission

A recognised certification scheme shall meet the following criteria:

Amendment

A recognised certification scheme ***that is a member of the ISEAL Alliance and*** shall meet the following criteria:

Or. en

Amendment 272
Miriam Lexmann

Proposal for a regulation
Annex IV – paragraph 1 – point a

Text proposed by the Commission

(a) it is open under transparent, fair and non-discriminatory terms to all economic operators willing and able to comply with the scheme's requirements;

Amendment

(a) it is open under transparent, fair and non-discriminatory terms to all economic operators willing and able to comply with the scheme's requirements ***and ensures highest possible human rights and environmental standards, including***

through multi-stakeholder governance;

Or. en

Amendment 273

Maria Arena

Proposal for a regulation

Annex IV – paragraph 1 – point a

Text proposed by the Commission

(a) it is open under transparent, fair and non-discriminatory terms to all economic operators willing and able to comply with the scheme's requirements;

Amendment

(a) it is open under transparent, fair and non-discriminatory terms to all economic operators willing and able to comply with the scheme's requirements ***and it is of multistakeholder governance;***

Or. en

Amendment 274

Maria Arena

Proposal for a regulation

Annex IV – paragraph 1 – point b – point ii

Text proposed by the Commission

(ii) requirements for ensuring socially responsible practices, including respect for human rights ***and*** labour rights;

Amendment

(ii) requirements for ensuring socially responsible practices, including respect for human rights, labour rights, ***and rights of indigenous people;***

Or. en

Amendment 275

Maria Arena

Proposal for a regulation

Annex IV – paragraph 1 – point b – point iii

Text proposed by the Commission

(iii) requirements for ensuring business

Amendment

(iii) requirements for ensuring business

integrity and transparency including requirements to apply sound management of financial, environmental and social matters;

integrity and transparency including requirements to apply sound management of financial, environmental and social matters, ***and robust anti-corruption and bribery policies in line with the OECD Guidelines outlined in Annex III;***

Or. en

Amendment 276

Maria Arena

Proposal for a regulation

Annex IV – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) it includes an on-site audit with in-person consultation with relevant stakeholders including local communities, civil society, workers, and trade unions;

Or. en

Amendment 277

Maria Arena

Proposal for a regulation

Annex IV – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) audit reports are made publically available;

Or. en

Amendment 278

Miriam Lexmann

Proposal for a regulation

Annex IV – paragraph 1 – point c

Text proposed by the Commission

(c) verification and monitoring of compliance is objective, based on international, Union or national standards, requirements and procedures and carried out independently from the relevant economic operator;

Amendment

(c) verification and monitoring of compliance is objective, based on international, Union or national standards, requirements and procedures and carried out independently from the relevant economic operator ***through the use of third-party audits. Such audits shall be made publically available following their completion;***

Or. en

Amendment 279

Maria Arena

Proposal for a regulation

Annex IV – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) grievance mechanisms are put in place in accordance with the UN Guiding Principles;

Or. en

Amendment 280

Maria Arena

Proposal for a regulation

Annex IV – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) grievance mechanisms are put in place in accordance with [OP please insert: reference to the Corporate Sustainability Due Diligence Directive], in so far as it applies to the project promoter;

Or. en

Amendment 281

Maria Arena

Proposal for a regulation

Annex V – Part 5 – paragraph 1 – introductory part

Text proposed by the Commission

The calculation rules shall specify the impact **category** that needs to be included in the environmental footprint calculation. The choice shall be based on the hotspot analysis performed in line with scientifically sound methodologies developed at international level and taking into account the:

Amendment

The calculation rules shall specify the impact **categories** that needs to be included in the environmental footprint calculation. The choice shall be based on the hotspot analysis performed in line with scientifically sound methodologies developed at international level and taking into account the:

Or. en