



2023/0079(COD)

20.7.2023

OPINION

of the Committee on International Trade

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council
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
(COM(2023)0160 – C9-0061/2023 – 2023/0079(COD))

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PA_Legam

AMENDMENTS

The Committee on International Trade calls on the Committee on Industry, Research and Energy, as the committee responsible, to take the following into account:

Amendment 1

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, the framework should include measures to increase the diversification of external supplies of strategic raw materials ***through the conclusion of preferential trade agreements, sustainable investment facilitation agreements, revision of existing FTAs to include chapters dedicated to critical raw materials and conclusion of Strategic Partnership 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.

Amendment 2

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) To strengthen Union capacities

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.

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 **each** 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 **each** 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)

Amendment 3

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 **create** a high risk of **disruption of supply chains. Likewise, some 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 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. **To this end, priority should be given to concluding Strategic Partnerships with countries with which the Union shares democratic and human rights values, as well as**

environmental and social standards. The recycling and reincorporation of waste and scraps plays a central role in the affirmation of the European autonomy.

Amendment 4

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 ***and in the overseas countries and territories referred to in Annex II of the TFEU*** 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 that its benefits are shared fairly and equitably between the different partners, the partners*** should ***receive*** improved access to finance ***and increased knowledge sharing.*** 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 ***contribute to strengthening*** the Union's ***resilience*** of supply for strategic raw materials, show sufficient technical feasibility and be implemented sustainably ***in compliance with EU legislation on Due Diligence and OECD Guidelines for Multinational Enterprises.*** 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 its ***conformity*** with ***the objectives of*** the Union's common commercial policy. ***Where the Commission assesses these criteria to be fulfilled, and after informing the***

European Parliament it should publish the recognition as a Strategic Project in a decision. Added value may be derived from the project's contribution to more than one stage of the value chain, ***including raw material processing***, as well as from creating through the project wider economic, ***environmental*** and ***societal*** benefits, including the creation of ***quality*** employment ***and support for SMEs***, in compliance with international standards, ***notably the core labour standards of the International Labour Organisation***, as well as respect for 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)***.

Amendment 5

Proposal for a regulation Recital 28

Text proposed by the Commission

(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.

Amendment

(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, ***national export credit agencies*** 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

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.

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 ***further development and increased financing of the*** Global Gateway strategy^[42] ***connected to critical raw materials projects.***

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).***

Amendment 6

Proposal for a regulation Recital 54

Text proposed by the Commission

(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

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 Materials. In order to diversify ***the*** supply, ***recycling and circularity of raw materials.*** these efforts ***must be intensified***. To develop and ensure a coherent ***diplomatic and strategic*** framework for the conclusion of future partnerships, ***these should strive to meet an established set of goals, including achieving the intended aims of this Act, improving cooperation across the whole value chain, contributing to increased local value addition in third countries, facilitating the joint assessment of Strategic Projects abroad, ensuring the effective participation of affected communities.*** The Member States and the Commission should, as part of their interaction on the Board, ***and after informing the European Parliament,*** discuss and ensure coordination on, inter

diversification of its raw materials supply chain as well as add value *in the production in these* countries.

alia, whether existing partnerships achieve *such* intended aims, the prioritisation of third countries for new partnerships, *in particular those that share EU values, respect for human rights, democracy and rule of law*, the content of such partnerships and their coherence and potential synergies between Member States' bilateral cooperation with relevant third countries *and the availability of sufficient access to finance*. The Union should seek mutually beneficial partnerships with emerging market and developing economies, in coherence with its Global Gateway strategy, *Team Europe approach, common commercial policy and its development and foreign policy*, which *should* contribute to the diversification of its raw materials supply chain as well as add value *to the economic and social framework of partner* countries. *Strategic Partnerships should include commitments from the Union to provide technical assistance to support inter alia compliance with Union legislation on supply chain due diligence. The provision of technical assistance shall be provided in a transparent way.*

Amendment 7

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

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, *representatives of the European Parliament* and of the Commission, while being able to ensure participation of other

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.

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 8

Proposal for a regulation

Article 1 – paragraph 2 – point a – point i

Text proposed by the Commission

(i) Union extraction capacity is able to extract the ores, minerals or concentrates needed to produce at least 10% of the Union's annual consumption of strategic raw materials, to the extent that the Union's reserves allow for this;

Amendment

(i) Union extraction capacity is able to extract the ores, minerals or concentrates needed to produce at least 10% of the Union's annual consumption of **each** strategic raw materials, to the extent that the Union's reserves allow for this;

Amendment 9

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 **pre-consumer and post-consumer** recycling capacity, including for all intermediate recycling steps, is able to produce at least 15% of the Union's annual consumption of **each** strategic raw materials.

Amendment 10

Proposal for a regulation

Article 1 – paragraph 2 – point a – sub-point 2 (new)

Text proposed by the Commission

Amendment

The Commission shall determine specific benchmarks for each raw material, taking into account its characteristics and applying a volume weighting factor to account for tonnage differences when calculating and aggregating these separate benchmarks towards reaching the total benchmarks; As part of the report referred to in Article 1(3), the Commission is required to publish its methodology for calculating and reporting on these benchmarks.

Amendment 11

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, by improving their ***re-usability, repairability***, circularity and sustainability.

Amendment 12

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(da) encourage research, innovation and development of production methods and scalability, of substitutes with lower environmental footprint, in Europe.

Amendment 13

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 a non-binding instrument setting out concrete actions of mutual interest. ***These mutual interests should include the promotion and protection of environmental standards, social and human rights according to international and national legislation, fully in respect of multilateral cooperation rules. Strategic Partnerships shall facilitate beneficial outcomes for both partners including the sharing of knowledge.***

Amendment 14

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, ***by diversifying its supply chains***, and ***for*** the third country concerned, by ***contributing to the development of its economy and the establishment of relevant downstream industries, including local processing industries. Such projects should respect international standards and conventions related to environmental protection and human rights, and encourage the use of inclusive business models in which local communities participate in decision-making.***

Amendment 15

Proposal for a regulation

Article 6 – paragraph 5 – subparagraph 2

Text proposed by the Commission

For Strategic Projects in third countries, the Commission shall **share** the application received with the third country whose territory is concerned by the proposed project. The Commission shall not approve the application before receiving the explicit approval of the relevant third country.

Amendment

For Strategic Projects in third countries, the Commission shall ***evaluate the feasibility and impact of a project on the Union's strategic autonomy and its link with the overall aim of this Regulation before sharing*** the application received with the third country whose territory is concerned by the proposed project. The Commission shall not approve the application before receiving the explicit approval of the relevant third country ***in accordance with its national legal system and international commitments***.

Amendment 16

Proposal for a regulation

Article 6 – paragraph 5 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

For Strategic Projects in third countries with which the Union has negotiated a Strategic Partnership Agreement, the Commission shall conduct consultations with the authorities of this country in order to guarantee swift implementation of the project.

Amendment 17

Proposal for a regulation

Article 15 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) Strategic Projects in Third Countries should be prioritised for Global

Amendment 18

Proposal for a regulation

Article 15 – paragraph 1 – point d

Text proposed by the Commission

(d) *relevant Union funding and financing* programmes.

Amendment

(d) *existing Member State instruments and* programmes, *including from export credit agencies, national promotional banks and institutions.*

Amendment 19

Proposal for a regulation

Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. 2 years after the entry into force of this Regulation, and every three years thereafter, the standing sub-group shall report on the uptake and hurdles regarding financing for Critical Raw Materials Projects and provide suggestions to improve access to public and private funding on European and Member State level.

Amendment 20

Proposal for a regulation

Article 19 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) information on price distortions caused or aggravated by strategic stocks of critical and other raw materials held by public authorities, publicly owned companies or economic operators;

Amendment 21

Proposal for a regulation

Article 19 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall provide additional analysis that takes account of the potential demand that would stem from meeting the manufacturing capacity benchmarks referred to in the Net Zero Industrial Act. This anticipated demand should be reflected in the stress testing.

Amendment 22

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 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.

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. ***The Commission shall carry out stress tests on selected critical raw materials where the Board submits a request.***

Amendment 23

Proposal for a regulation

Article 19 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) factors that might affect supply,

(c) factors that might affect supply,

including but not limited to the geopolitical situation, logistics, energy supply, workforce or natural disasters;

including but not limited to the geopolitical situation, **trade disputes, including acts of economic coercion**, logistics, energy supply, workforce or natural disasters;

Amendment 24

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ca) the supply chain's exposure to risks of human rights violations and lack of compliance with international sustainability standards and, when applicable, Union legislation;

Amendment 25

Proposal for a regulation

Article 25 – paragraph 4

Text proposed by the Commission

Amendment

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.

4. The national measures referred to in paragraphs 1 and 2 shall be designed so as to avoid barriers to **international and intra-EU** trade and distortions of competition **on the Union market** in conformity with the TFEU.

Amendment 26

Proposal for a regulation

Article 30 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(c) the effectiveness of strategic partnerships, strategic projects, trade agreements and other international instruments and outreach conducted by the Union in achieving the Union's climate and environmental objectives.

(c) the effectiveness of strategic partnerships, strategic projects, trade **agreements, sustainable investment facilitation** agreements and other international instruments and outreach conducted by the Union in achieving the Union's climate and environmental

objectives.

Amendment 27

Proposal for a regulation

Article 33 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Board shall periodically discuss:

Amendment

1. The Board shall periodically, ***at least once a year***, discuss:

Amendment 28

Proposal for a regulation

Article 33 – paragraph 1 – point a – point i

Text proposed by the Commission

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

Amendment

(i) improving ***the resilience and sustainability of*** the Union's supply ***of strategic and critical raw materials***;

Amendment 29

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 ***and benefit sharing*** along the critical raw materials value chain between the Union and partner countries ***and overseas countries and territories referred to in Annex II of TFEU***;

Amendment 30

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(iiia) improving the development of local industries linked to the treatment of raw materials in third countries defined as emerging or developing economies and better integration in the global value chain;

Amendment 31

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(iiib) upholding human and labour rights, the protection of the environment, in particular biodiversity and water quality;

Amendment 32

Proposal for a regulation

Article 33 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the coherence and potential synergies between Member States' bilateral cooperation with relevant third countries and the actions carried out by the Union in the context of Strategic Partnerships;

(b) the coherence and potential synergies between Member States' bilateral cooperation with relevant third countries and the actions carried out by the Union ***in the pursuit and negotiation of free trade agreements with third countries*** in the context of Strategic Partnerships;

Amendment 33

Proposal for a regulation

Article 33 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the coherence and potential

synergies and challenges between actions carried out by the Union in the pursuit and negotiation of free trade agreements and sustainable investment facilitation agreements with third countries, and the actions carried out by the Union in the context of Strategic Partnerships; The Board shall facilitate better dialogue and coordination in the Commission to ensure that these processes complement one another and are appropriately sequenced;

Amendment 34

Proposal for a regulation

Article 33 – paragraph 1 – point c – introductory part

Text proposed by the Commission

(c) *which third* countries should be prioritised for the conclusion of Strategic Partnerships, taking into account the following criteria:

Amendment

(c) *establishing a list of partner countries, and overseas countries and territories referred to in the Annex II of the TFEU, which* should be prioritised for the conclusion of Strategic Partnerships, taking into account the following criteria:

Amendment 35

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 *the resilience of the Union's* supply *of raw materials*, taking into account a *partner* country's potential reserves, extraction, processing and recycling capacities related to critical raw materials *of partner countries*;

Amendment 36

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 expresses interest that its** regulatory framework **and its effective implementation ensure** 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, **including policies to combat forced and child labour**, 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, **including anti-corruption measures and due diligence**, and the prevention of adverse impacts on the proper functioning of public administration and the rule of law;

Amendment 37

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(iia) **whether there are existing or potential preferential trade agreements or ongoing negotiations of trade agreements with third countries;**

Amendment 38

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(iva) **the effectiveness of the funds allocated by the Union to local projects and in particular those resulting from the**

Amendment 39

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ivb) for emerging markets and developing economies, whether partnerships could contribute to the formalisation of the mining sector, especially the artisanal and small-scale mining sector.

Amendment 40

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall publish an annual report outlining the benefits brought in the preceding year by each of the Strategic Partnership Agreements; the report shall include:

(a) an up to date list of all existing Strategic Partnership Agreements;

(b) an up to date list of all ongoing negotiations for Strategic Partnership Agreements;

(c) a priority list of potential Strategic Partnership Agreements in accordance with the provisions of Article 33 (2), point (c);

(d) a list of the relevant projects facilitated by Strategic Partnerships and an analysis of how these projects have contributed to fulfilling the aims of this regulation;

(e) an up to date list of all projects granted the status of Strategic Project that

are located in third countries.

Amendment 41

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) support the Commission in the ***effective*** implementation of the cooperation measures set out in Strategic Partnerships.

Amendment 42

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ba) coordinate the activities of their development banks, export credit agencies and other public institutions under their supervision to support the implementation and financing of Strategic Projects conducted in third countries.

Amendment 43

Proposal for a regulation

Article 33 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Strategic Partnerships concluded by the Union with third countries shall contain measures contributing towards:

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

(ii) the benchmark set out in Article 1(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) for emerging markets and developing economies, , increase local value addition by supporting the development of extraction, processing and recycling capacities, including via the facilitation or support of private and public investment;

(vi) for partner countries which have ratified it, the advancement of the United Nations Declaration on the Rights of Indigenous Peoples;

(vii) The sharing of knowledge and skills which would be beneficial for the development of local industries.

Amendment 44

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

Text proposed by the Commission

Amendment

3b. Participation of the European Parliament in establishing and monitoring Strategic Partnerships:

(i) if the Board chooses to start discussions with the aim of establishing a new partnership, it shall inform the European Parliament;

(ii) *once the negotiations on a Strategic Partnership are concluded, the Commission shall inform the Parliament and allow it sufficient time to express its view before signing the partnership;*

(iii) *once a Strategic Partnership has entered into force, the European Parliament may evaluate the partnership every three years, and express its view on the importance of maintaining, strengthening or terminating this partnership.*

Amendment 45

Proposal for a regulation Article 35 – paragraph 1

Text proposed by the Commission

1. The Board shall be composed of Member States and the Commission. It shall be chaired by the Commission.

Amendment

1. The Board shall be composed of Member States, ***Members of the European Parliament***, and the Commission. It shall be chaired by the Commission.

Amendment 46

Proposal for a regulation Article 35 – paragraph 4 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) every 6 months with the One Stop Shops Observers, in order to allow these representatives to share best practice and better coordinate their working methods.

Amendment 47

Proposal for a regulation Article 35 – paragraph 6 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) a subgroup to discuss and

(a) a subgroup to discuss and

coordinate financing for Strategic Projects pursuant to Article 15; representatives of national promotional banks and institutions, the European development financial institutions, the European Investment Bank Group, other international financial institutions including the European Bank for Reconstruction and Development and, as appropriate, private financial institutions shall be invited as observers;

coordinate financing for Strategic Projects pursuant to Article 15; representatives of national promotional banks and institutions, ***representatives of export credit agencies***, the European development financial institutions, the European Investment Bank Group, other international financial institutions including the European Bank for Reconstruction and Development and, as appropriate, private financial institutions shall be invited as observers;

Amendment 48

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 the One Stop Shop Observers to meet at regular intervals and cultivate greater convergence in decision making between the Member States;

Amendment 49

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(db) a subgroup bringing together business and industry representatives, including representatives from relevant strategic sectors and SMEs, that can provide information and insight to the Board;

Amendment 50

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(dc) a subgroup bringing together scientists, experts and organisations specialized in sustainable mining and production of critical raw materials with the purpose of evaluating the sustainability provisions of the accepted Strategic Projects.

Amendment 51

Proposal for a regulation

Article 35 – paragraph 7 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

The Board shall report to the European Parliament once a year. The meeting documents and decisions of the Board shall be available to the European Parliament.

Amendment 52

Proposal for a regulation

Article 42 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission shall, taking into account the advice of the Board, monitor progress towards the objectives set out in Article 1(2) and publish, at least every 3 years, a report detailing the Union's progress towards achieving those objectives.

The Commission shall, taking into account the advice of the Board, monitor progress towards the objectives set out in Article 1(2) and publish, at least every 2 years, a report detailing the Union's progress towards achieving those objectives.

Amendment 53

Proposal for a regulation

Article 42 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall, taking into account the advice of the Board, assess the effectiveness of provisions set out in Article 15 and publish, at least every 2 years, a report on Project Promoters ability to access finance for critical raw materials projects, defining the opportunities, bottlenecks and required efforts and investments to reach the objectives.

Amendment 54

Proposal for a regulation

Article 42 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The first report shall be drawn up by ***[OP please insert: 4*** years after the date of entry into force of this Regulation~~]~~.

The first report shall be drawn up by **2** years after the date of entry into force of this Regulation.

Amendment 55

Proposal for a regulation

Article 42 – paragraph 2

Text proposed by the Commission

Amendment

2. The report referred to in paragraph 1 shall include quantitative information on the extent of the Union's progress towards the benchmarks set out in Article 1(2), points (a) and (b).

2. The report referred to in paragraph 1 shall include quantitative information on the extent of the Union's progress towards the benchmarks set out in Article 1(2), points (a) and (b). ***The report shall take into account the role that the provisions of Articles 15 are contributing to meeting those benchmarks, and whether the provisions are adequate.***

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	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						
References	COM(2023)0160 – C9-0061/2023 – 2023/0079(COD)						
Committee responsible Date announced in plenary	ITRE 8.5.2023						
Opinion by Date announced in plenary	INTA 8.5.2023						
Associated committees - date announced in plenary	15.6.2023						
Rapporteur for the opinion Date appointed	Anna-Michelle Asimakopoulou 27.4.2023						
Discussed in committee	24.5.2023						
Date adopted	19.7.2023						
Result of final vote	<table> <tr> <td>+: </td><td>35</td></tr> <tr> <td>–: </td><td>0</td></tr> <tr> <td>0: </td><td>2</td></tr> </table>	+:	35	–:	0	0:	2
+:	35						
–:	0						
0:	2						
Members present for the final vote	Barry Andrews, Anna-Michelle Asimakopoulou, Tiziana Beghin, Saskia Bricmont, Jordi Cañas, Daniel Caspary, Arnaud Danjean, Roman Haider, Christophe Hansen, Heidi Hautala, Danuta Maria Hübner, Danilo Oscar Lancini, Bernd Lange, Thierry Mariani, Margarida Marques, Gabriel Mato, Emmanuel Maurel, Carles Puigdemont i Casamajó, Samira Rafaela, Catharina Rinzema, Inma Rodríguez-Piñero, Katarína Roth Neved'alová, Helmut Scholz, Joachim Schuster, Sven Simon, Kathleen Van Brempt, Marie-Pierre Vedrenne, Jörgen Warborn, Iuliu Winkler						
Substitutes present for the final vote	Marek Belka, José Manuel García-Margallo y Marfil, Enikő Győri, Javier Moreno Sánchez						
Substitutes under Rule 209(7) present for the final vote	Clara Aguilera, Francisco Guerreiro, Mikuláš Peksa, Lucia Vuolo						

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

35	+
ID	Danilo Oscar Lancini, Thierry Mariani
NI	Tiziana Beghin, Carles Puigdemont i Casamajó
PPE	Anna-Michelle Asimakopoulou, Daniel Caspary, Arnaud Danjean, José Manuel García-Margallo y Marfil, Christophe Hansen, Danuta Maria Hübner, Gabriel Mato, Sven Simon, Lucia Vuolo, Jörgen Warborn, Iuliu Winkler
Renew	Barry Andrews, Jordi Cañas, Samira Rafaela, Catharina Rinzema, Marie-Pierre Vedrenne
S&D	Clara Aguilera, Marek Belka, Bernd Lange, Margarida Marques, Javier Moreno Sánchez, Inma Rodríguez-Piñero, Katarína Roth Neved'alová, Joachim Schuster, Kathleen Van Brempt
The Left	Emmanuel Maurel, Helmut Scholz
Verts/ALE	Saskia Bricmont, Francisco Guerreiro, Heidi Hautala, Mikuláš Peksa

0	-

2	0
ID	Roman Haider
NI	Enikő Győri

Key to symbols:

+ : in favour

- : against

0 : abstention