

EN
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Answer given by Ms Roswall
on behalf of the European Commission
(11.2.2025)

The Commission is not aware of the referred prospection projects for the extraction of rare earths.

The EU legal framework applicable to the extraction and processing of raw materials¹ aims to ensure that the activities within its scope, including mining, comply with high environmental standards.

The Critical Raw Materials Act² (CRMA) provides a framework to ensure a secure and sustainable supply of critical raw materials streamlining permitting procedures in mining and in the critical raw materials supply chain while keeping environmental checks. In the case of Strategic Projects for which the obligation to carry out assessments of the effects on the environment arises simultaneously from the Environmental Impact Assessment³, Habitats⁴, Birds⁵, Water⁶ and Waste Framework⁷, Industrial Emissions⁸, or the Seveso III⁹ Directives, Member States shall apply a coordinated procedure fulfilling all the requirements of these acts¹⁰.

The Regulation applies without prejudice to the obligations under the Aarhus and Espoo Conventions¹¹ and the requirements on public participation included in the abovementioned legislation.

¹ Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC, OJ L 102, 11.4.2006, p. 15–34.

² Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020, OJ L, 2024/1252, 3.5.2024.

³ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2012, p. 1–21, as amended by Directive 2014/52/EU of 16 April 2014, OJ L 124, 25.4.2014, p. 1–18.

⁴ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7–50.

⁵ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (Codified version), OJ L 20, 26.1.2010, p. 7–25.

⁶ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000, p. 1–73.

⁷ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, OJ L 312, 22.11.2008, p. 3–30.

⁸ Directive (EU) 2024/1785 of the European Parliament and of the Council of 24 April 2024 amending Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) and Council Directive 1999/31/EC on the landfill of waste. OJ L, 2024/1785, 15.7.2024. Transposition date of this Directive is 1 July 2026.

⁹ Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC, OJ L 197, 24.7.2012, p. 1–37.

¹⁰ According to Article 12 of the CRMA.

¹¹ 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 UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991 and its Protocol on Strategic Environmental Assessment, signed in Kyiv on 21 May 2003.

Under the Corporate Sustainability Due Diligence Directive¹² and the Batteries Regulation¹³, companies are required to take steps with regard to social and environmental risks when sourcing raw materials but those rules have not yet entered into application.

The 2022 Communication on the EU's outermost regions¹⁴ stresses the importance of protecting and restoring the high biodiversity value of these regions. Several EU instruments can support biodiversity protection and restoration in the outermost region of the Canary Islands¹⁵.

¹² Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859, OJ L, 2024/1760, 5.7.2024.

¹³ Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC, OJ L 191, 28.7.2023, p. 1–117.

¹⁴ Communication from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions, Putting people first, securing sustainable and inclusive growth, unlocking the potential of the EU's outermost regions, COM (2022) 198 final.

¹⁵ Eg. European Regional Development Fund: https://ec.europa.eu/regional_policy/funding/erdf_en or the Regulation (EU) 2021/783 of the European Parliament and of the Council of 29 April 2021 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EU) No 1293/2013, OJ L 172, 17.05.2021, p.53.