

(English version)

**Question for written answer E-002086/25
to the Commission
Li Andersson (The Left)
(23 May 2025)**

Subject: The impact of the EU Critical Raw Materials Act on environmental criteria and the treatment of protected areas

The aim of the EU Critical Raw Materials Act (CRMA) is to ensure that 10% of the EU's needs for strategic raw materials are met with materials produced on its territory. This will bring to the fore the environmental and social effects of mining that had previously been hidden owing to the EU's importing of its minerals, mainly from the Global South.

A project that meets the criteria laid down in Article 6 of the CMRA can obtain the status of a strategic project. Under those criteria, projects must be implemented sustainably, in particular as regards the monitoring, prevention and minimisation of environmental impacts. However, strategic status allows for accelerated permitting procedures and derogations from environmental directives such as the Habitats and Water Framework directives.

In Finland, the first strategic projects have raised environmental concerns. The expansion of Terrafame, a mining company, was partially overturned by an administrative court, partly because of the risk of a major accident. On the other hand, the Sakatti mining project is being planned in the area of Viiankiaapa, which is home to one of Europe's last string bogs (also known as aapa mires). The site is protected under both Natura and Finland's national marshland protection scheme. The environmental impact assessment procedure has already shown that the mine would cause the water level in the mire to drop. As a result the grounds for protecting it would be lost and, ultimately, the mire would be destroyed.

1. When the first sites with strategic project status in Finland are clearly environmentally destructive, the question arises as to what exactly the environmental criteria are for obtaining strategic project status?
2. Has the EU created a gap in its high level of environmental protection with regard to mining projects by establishing derogations from the most effective directives in EU environmental legislation — the Nature and Water Framework directives — with a view to stepping up strategic autonomy?
3. How will environmental protection with regard to mining projects be implemented in the future, and when it is possible for sites protected by nature conservation schemes to be used for mining projects, does the EU have any zones which are identified as absolutely prohibited areas?

Submitted: 23.5.2025

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(1 August 2025)**

Applications for strategic status under the Critical Raw Materials Act ⁽¹⁾ are assessed by independent experts based on the criteria in Article 6(1)(c).

The projects selected have demonstrated sufficient evidence of their commitment to responsibly measure, monitor and reduce the impacts of their operations on the surrounding environment.

Strategic projects benefit from streamlined permitting processes that respect environmental laws. Although the status provides benefits, they still need to obtain a permit from national authorities which apply existing requirements.

National authorities may decide if strategic projects' public interest qualifies as 'overriding' under Article 4(7) of the Water Framework Directive ⁽²⁾ (WFD) and Article 6(4) of the Habitats Directive ⁽³⁾.

The WFD limits this derogation to cases where all practicable mitigation measures are taken, and when no other feasible and not disproportionately costly solution exists to achieve the same public interest.

Projects in Natura 2000 ⁽⁴⁾ sites are not *per se* prohibited. They must be subject to an appropriate assessment. In exceptional cases, if no alternatives exist and adverse effects on a Natura 2000 site remain despite mitigation, and the project is of overriding public interest, compensatory measures must be taken. For priority habitats or species, a Commission opinion may also be required.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02024R1252-20240503>.

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02000L0060-20141120>.

⁽³⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01992L0043-20130701>.

⁽⁴⁾ https://environment.ec.europa.eu/topics/nature-and-biodiversity/natura-2000_en.

The EU Biodiversity strategy ⁽⁵⁾ sets a target that 10% of EU land and sea areas should be protected ⁽⁶⁾. In addition, EU law ensures that environmental impact assessments, alternative analysis, mitigation or compensation obligations apply. The Commission provides guidance and monitors implementation to uphold environmental protection ⁽⁷⁾.

⁽⁵⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52025DC0420>.

⁽⁶⁾ For criteria and guidance on strict protection, see https://environment.ec.europa.eu/system/files/2022-01/SWD_guidance_protected_areas.pdf

⁽⁷⁾ https://environment.ec.europa.eu/topics/nature-and-biodiversity/natura-2000/permitting-procedure_en.