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Context

In 2019, the European Commission published the European Green Deal¹, which aims at achieving a sustainable EU economy. This is the core of the EU's environmental, climate and also industrial policy, setting out the target of climate-neutrality in 2050, zero pollution, and increasing the CO2 reduction targets to 55% by 2030. Achieving the Green Deal objectives requires **access to sustainable raw materials**, in particular critical raw materials necessary for clean technologies, digital, space and defence applications, by diversifying supply from both primary and secondary sources.

The Raw Materials Supply Group (RMSG including Member States, regional authorities, industry associations, civil society, social partners and research organisations) and the European Commission have developed and agreed upon a set of voluntary, non-mandatory **EU principles for sustainable raw materials**.

These principles will feed into an **integrated approach to sustainable raw materials extraction and processing in Europe** in terms of **social-, environmental- and economic performance**.

The European Commission adopted a number of initiatives in 2020 and 2021 anchored in the European Green Deal and relevant to raw materials:

- **2020 Industrial Policy for the EU³** and the **2021 Industrial Strategy Update⁴** leading the twin transitions to climate neutrality and digital leadership and increasing industry's competitiveness and strategic autonomy at a time of increasing global competition,

- **2020 Circular Economy Action Plan⁵** holding proposals for increasing the circularity and retention of raw materials in the EU economy, including a new regulatory framework for batteries,
- **2020 Communication “Critical Raw Materials Resilience: Charting a Path towards greater Security and Sustainability”⁶**. This communication, building on the EU's Raw Materials Initiative⁷, updates the list of raw materials critical for the EU and proposes a Critical Raw Materials Action Plan for increased resilience in EU's supply chains through secure and sustainable supply of critical raw materials.
- **Proposal for a Regulation on batteries⁸ and waste batteries** ensuring a competitive, sustainable and circular batteries value chain in Europe. The proposal includes provisions for more efficient recycling processes and material recovery, thereby mainstreaming circularity and reinforcing secondary raw materials markets.

A main building block of the Critical Raw Materials Action Plan is about strengthening the sustainable and responsible domestic sourcing and processing of raw materials in the European Union where public acceptance is an important element. The EU principles for sustainable raw materials support this goal. They have been developed to reflect the practices that are followed within the European Union and that are expected to be applied also by new entrants to the market.

What is the objective and the scope?

The objective of the EU principles for sustainable raw materials, is to **align the understanding of sustainable raw materials extraction (from exploration to post-closure) and processing operations in the EU amongst Member States and define the general direction towards the SDGs**. This will lead to a common European understanding on sustainability principles that can contribute to coherence amongst emerging certification and labelling schemes, and that existing practices, codes and standards are recognised.

The principles should enable to better communicate with the public on the conditions under which sustainable raw materials extraction and processing takes place in Europe and increase public acceptance for this activity.

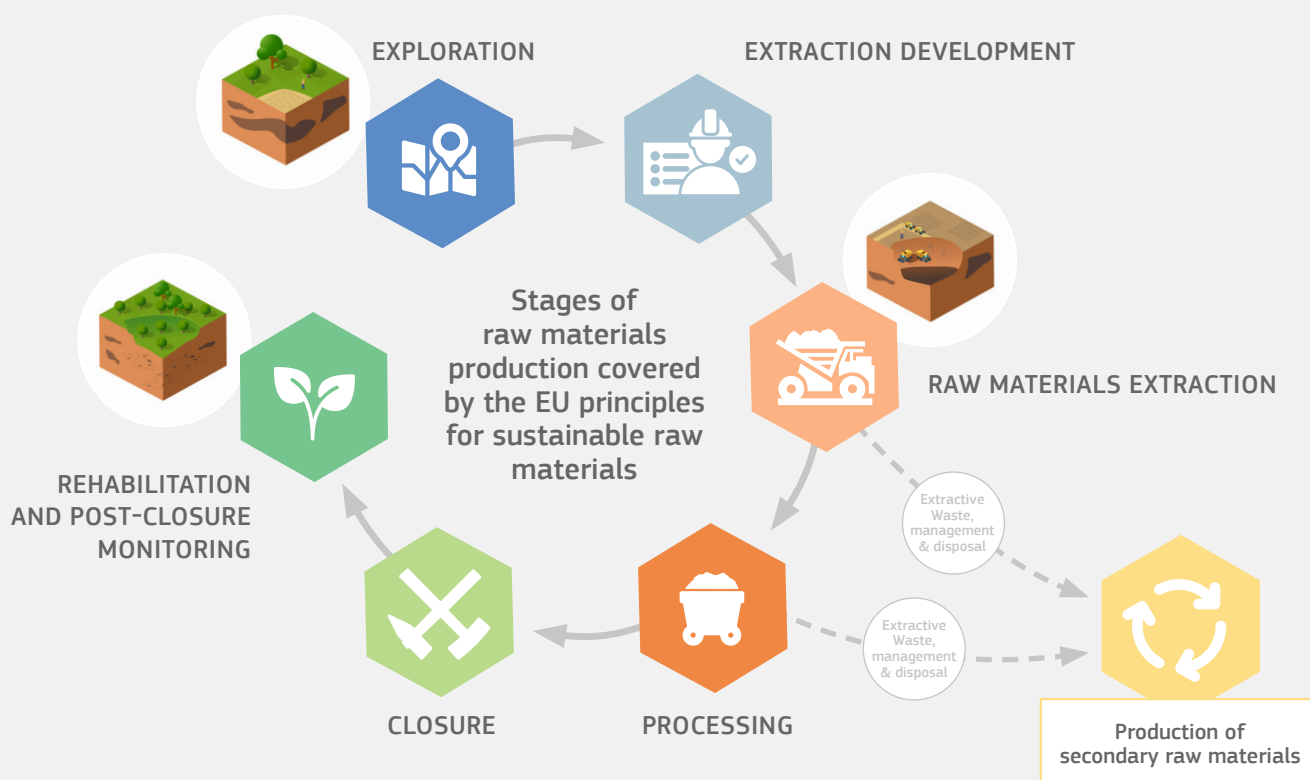
The principles will build upon existing EU legislation concerning sustainability⁹, and refer to internationally agreed sustainable raw materials extraction and processing initiatives¹⁰. The principles do not impose any obligations on the Member States or the industry. Development of indicators and certification is outside the scope of this action.

Scope

The EU principles for sustainable raw materials are applicable in the EU to the extraction and processing stages of non-energy raw materials and to the entire minerals value chains lifecycle from exploration to post-closure, as well as to the production of secondary raw materials from extractive waste streams such as waste rocks, processing wastes/tailings¹¹.

Extractive activities include extraction from a mine or quarry, but also dredging of alluvial deposits, rock crushing and the use of salt marshes. Extraction can be achieved by different methods such as underground or surface mining, well operation etc.

The extractive industry comprises supplementary activities aimed at preparing the raw materials for marketing, for example, crushing, grinding, cleaning, drying, sorting, concentrating ores. These operations are often accomplished by the units that extracted the resource and/or others located nearby.



Introduction

The principles are founded on the goals and values of the EU as laid down in the EU Treaties:

- Promote peace, its values and the well-being of its citizens
- Offer freedom, security and justice without internal borders
- Sustainable development based on balanced economic growth and price stability, a highly competitive market economy with full employment, social progress, and environmental protection
- Combat social exclusion and discrimination
- Promote scientific and technological progress
- Enhance economic, social and territorial cohesion and solidarity among EU countries
- Respect its rich cultural and linguistic diversity
- Support an economic and monetary union whose currency is the euro.
- Human dignity is inviolable. It must be respected, protected and constitutes the real basis of fundamental rights.
- Freedom of movement gives citizens the right to move and reside freely within the Union. Individual freedoms such as respect for private life, freedom of thought, religion, assembly, expression and information are protected by the EU Charter of Fundamental Rights.
- Democracy. The functioning of the EU is founded on representative democracy.
- Equality is about equal rights for all citizens before the law. The principle of equality between women and men underpins all European policies and is the basis for European integration. It applies in all areas.
- Rule of law. The EU is based on the rule of law. Everything the EU does is founded on treaties, voluntarily and democratically agreed by its EU countries. Law and justice are upheld by an independent judiciary. The EU countries gave final jurisdiction to the European Court of Justice which judgements have to be respected by all.
- Human rights are protected by the EU Charter of Fundamental Rights. These cover the right to be free from discrimination on the basis of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, the right to the protection of your personal data, and or the right to get access to justice.

Raw materials

Raw materials in this context is based on the definition in the Extractive Waste Directive¹²:

“ ‘mineral resource’ or ‘mineral’ means a naturally occurring deposit in the earth’s crust of an organic or inorganic substance, such as metal ores, industrial minerals and construction minerals, excluding energy raw materials and water”.

EU principles for sustainable raw materials



Social Principles

Human rights, engagement with communities of interest, employment, health and safety

1

Sustainable raw materials extraction and processing support human rights, communities and sound governance¹³ through:

- a. respect for human rights, cultures, customs and values of people, including indigenous populations, affected by extraction and processing activities;
- b. a constructive and active dialogue with communities and workers concerned, including those of indigenous people, to advance the social, economic and institutional development of those communities. The dialogue shall be effective and transparent and deliver on reporting arrangements with concerned stakeholders.
- c. commitment to ensure safe living conditions in communities concerned, including of indigenous people, are not jeopardised by unsafe extraction and processing operations.

2

Sustainable raw materials extraction and processing support Decent Work for the workforce¹⁴ through:

- a. improving the worker's health and safety with the commitment of achieving a zero accidents target;
- b. continuously improving the skills of the workers, creating and maintaining a stable and quality workplace;
- c. respect for worker's rights in line with the International Labour Organization Fundamental Conventions





Economic- and governance principles

Business integrity, transparency and wider economic contribution

3

Sustainable raw materials extraction and processing comply with all laws and regulations in the EU, including EU legislation as laid down in the EU Treaties.

4

Sustainable raw materials extraction processing constitute an essential building block for sustainable value chains that have a strategic importance for economic growth and the sustainability of Europe's economy and society¹⁵ including the transition to climate neutrality and a digital economy while complying with the principle of do no significant harm as stated in the European Green Deal in that they:

a. contribute to the economic growth and the socio-economic advancement of communities, including indigenous people, associated with or affected by extraction and processing operations¹⁶;

b. are carried out to ensure long-term sustainability and economic viability to develop and meet the needs of modern society for minerals and metals;

c. facilitate innovation¹⁷ and encourage the uptake of digital technologies for safer, cleaner and cost-effective production processes;

d. implement circular economy and resource efficiency driven mineral-based technology value chains to promote waste recovery, and enable energy transition and electrification.

5

Sustainable raw materials extraction and processing apply sound financial management¹⁸ in the following ways:

a. by applying a properly accountable management with respect to all financial matters and the environmental and social aspects of the operations;

b. by integrating sustainability in the corporate governance strategies and management systems building on corporate social responsibility including risk management and respect for the rule of law;

c. by applying robust systems of transparency including in the non-financial reporting matrix to investors and the public;

d. by adhering to ethical corporate practices maintaining the highest business integrity in all operations and to sound systems of governance as laid down in EU and national legislation and relevant internationally accepted guidance¹⁹.





Environmental principles

Environmental management and impact mitigation

6

Sustainable raw materials extraction and processing apply sound environmental management practices. It is ensured by²⁰:

- a. applying sound science- and knowledge-based environmental management of technical and economic feasibility, which is in alignment with the current legal framework in place and the European Green Deal; the main negative impacts of the operations on the environment (e.g. water, air, soil) as well as resulting damages will be adequately monitored, assessed and minimised;
- b. environmental protection and mitigation measures being applied throughout the life of an extraction and processing operation, from exploration to post closure;
- c. applying the best available techniques on extractive waste management, in line with the Extractive Waste Directive and the Reference Document for the Management of Waste from Extractive Industries (MWEI) BREF in place;
- d. applying, in line with current EU legislation and the European Green Deal and Biodiversity Strategy, the conservation of biodiversity, and any negative impact on biodiversity²¹ is minimised and where legally stipulated compensated through implementation of integrated approaches as well as reconciliation of extractive and processing activities in Natura 2000 sites²².

7

Sustainable raw materials extraction and processing improve and promote efficient energy use, support climate change mitigation and adaptation measures²³ through:

- a. improving the efficiency of energy use and promoting the use of renewable energy sources in order to minimise greenhouse gas emissions. The CO₂ equivalent emissions are measured and/or estimated and reported in line with accepted reporting standards laid down in EU and national/regional legislation;
- b. supporting or alignment with the objectives of global climate agreements through science-based targets for the reduction or mitigation of CO₂ equivalent emissions and promoting the use of available renewable energy sources;
- c. assessing the vulnerability of operations to climate change, improving resilience of operations to climate change through suitable adaptation measures and contributing to the resilience of nearby communities, including indigenous people, in the face of climate change effects.

8

Sustainable raw materials extraction and processing includes materials stewardship and contributes to the EU's circular economy where possible²⁴ and within its responsibilities²⁵ through:

- a. facilitating and encouraging the promotion of safe use, recycling and disposal of products through an understanding of their material use or material stewardship in thematic areas;
- b. promoting material stewardship in mining and processing, including economic extraction of by-products and the recovery of raw materials from mining and processing waste as well as other secondary resources.



Footnotes

¹ COM (2019) 640 final

² Commission Expert Group

³ COM(2020) 102 final

⁴ COM(2021) 350 final

⁵ COM (2020) 98 final

⁶ COM(2020)474

⁷ Communication COM (2008) 699 final. This initiative states that raw materials are essential for the functioning of modern societies and that access to and affordability of mineral raw materials are crucial for the functioning of the economy. The Raw Materials Initiative sets out a strategy for reducing dependencies for non-energy raw materials for industrial value chains and societal well-being by diversifying sources of primary raw materials from third countries, strengthening domestic sourcing and supporting supply of secondary raw materials through resource efficiency and circularity.

⁸ COM(2020) 798/3 2020/353 (COD)

⁹ The Annex provides an overview of relevant EU legislation concerning sustainability. The exhaustive legal framework for mineral extraction and permitting procedures for exploration and exploitation in the EU can be found in the MINLEX Study. Regular updates of the MINLEX study/regulatory framework can be found in Raw Materials Information System (RMIS).

¹⁰ Including Towards Sustainable Mining (TSM), Initiative for Responsible Mining Assurance (IRMA)

¹¹ The scope of the EU principles for sustainable raw materials does not cover further material lifecycle phases (refining, further processing, manufacturing, etc.), smelters (which can be part of a mine or not) nor cement or lime production. Secondary materials from construction and demolition waste streams are not part of the scope.

¹² 2006/21/EC

¹³ This supports Sustainable Development Goal 16 “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”, Sustainable Development Goal 11 “Make cities and human settlements inclusive, safe, resilient and sustainable”

¹⁴ This supports Sustainable Development Goal 8 “Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”.

¹⁵ This supports Sustainable Development Goal 12 “Ensure sustainable production and consumption patterns”, Sustainable Development Goal 8 “Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all, Sustainable Development Goal 9 “Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation”.

¹⁶ This supports Sustainable Development Goal 8 “Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”, Sustainable Development Goal 9 “Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation”, Sustainable Development Goal 12 “Ensure sustainable production and consumption patterns”.

¹⁷ In alignment with EU Industrial strategy and EU Digital strategy

¹⁸ This supports Sustainable Development Goal 16 “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”

¹⁹ With reference to EU initiatives and internationally accepted initiatives such as the principles of the Extractive Industries Transparency Initiative (EITI), OECD Due Diligence Guidance for Responsible Mineral Supply Chains (OECD Guidance) from conflict-affected and high-risk areas (CAHRAs).

²⁰ This supports Sustainable Development Goal 6 “Ensure availability and sustainable management of water and sanitation for all”, Sustainable Development Goal 12 “Ensure sustainable production and consumption patterns” and Sustainable Development Goal 15: “Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss”.

²¹ This supports Sustainable Development Goal 15 “Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss”.

²² See Guidance Document: Non-energy mineral extraction and Natura 2000

²³ This supports Sustainable Development Goal 13 “Take urgent action to combat climate change and its impacts”.

²⁴ A continuous input of primary raw materials into the cycle is however needed due to material physical limitations.

²⁵ This supports Sustainable Development Goal 12 “Ensure sustainable consumption and production patterns”.

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