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Civil society groups from Europe all the way to Latin America and Australia have a message following EU Parliament's Plenary vote on the Critical Raw Materials Act:

“EU Parliament, stop selling out people and nature to mining”

The EU Commission is on a mining bonanza! It wants to give way to big, industrial mining across Europe and beyond. Together with the mining lobby, it created a plan to produce more cars so that Europe's carmakers and big mining can pocket golden profits. **It labelled its plan “green,” hoping that no one would see through it.**

Together with the mining lobby,¹ The EU drew up a list of 34 critical raw materials needed for the energy transition and labelled 16 of them “strategic.”² Then it produced a law to make their extraction happen fast. Called the **Critical Raw Materials Act (CRMA)**³, the European Parliament and Europe's ministers for industry are slated to green-light before Christmas. **Yesterday the EU Parliament voted to adopt its position, and passed a draft to start negotiating the final law.**

The CRMA has already been labelled by civil society and environmental NGOs as **violating environmental and human rights**. The EU is well aware that resistance to mining all over Europe is growing so they did not give civil society enough time to respond to amendments in the lead up to this vote. **Originally scheduled for October, the Parliament only last week announced that the plenary vote would be happening yesterday!**

This kind of power play is not only undemocratic but reflective of the lack of respect we can expect towards communities who stand to be affected by the kind of mining the CRMA will encourage.

The CRMA imposes a process to fast-track permitting and limits public participation and the right to a fair trial.⁴ **New mines can be declared of “strategic importance”⁵ meaning that communities standing in their way can be expropriated swiftly.**⁶ Projects could also be labelled with non binding certification schemes that directly violate international agreements,⁷ and if that is not already enough, the EU Commission can also add new materials to the list, as it deems necessary. A transition that does not address Europe's

¹ The CRM Alliance is composed of trade associations and companies representing substances that are defined as “critical” by the European Commission or are considered to be defined as such in the future. <https://www.crmalliance.eu/>

² <https://www.europarl.europa.eu/legislative-train/theme-a-europe-fit-for-the-digital-age/file-european-critical-raw-material-act>

³ [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747898/EPRS_BRI\(2023\)747898_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747898/EPRS_BRI(2023)747898_EN.pdf)

⁴ For example, CEO of LKAB mining company Jan Moström said in 2022 that permitting processes take time and called on authorities to speed up the process, “to ensure increased mining of this type of raw material in Europe”. He is asking for the EU to speed up licensing laws <https://www.bbc.co.uk/news/world-europe-64253708>, and this law would fall right into the hands of corporate CEOs like him.

⁵ Context of the proposal of the regulation: “ This proposal responds to the 2022 Versailles Declaration adopted by the European Council, which underlined the strategic importance of critical raw materials in guaranteeing the EU's open strategic autonomy and European sovereignty”

⁶ Yes to Life no to Mining “10 Reasons Certification Schemes are not a Solution”

https://vestolifenotomining.org/wp-content/uploads/2023/05/YLNM-Anti-certification-statement_EN.pdf

⁷ This includes agreements such as Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean.

unsustainable consumption and prioritise reduction in output,^{8,9} caps on wealth and other non-mining solutions can not seriously call itself “green.”¹⁰

To add insult to injury, the law does not exclude protected areas such as Natura2000 sites or the deep sea and the Arctic from becoming new mine sites. **Mining should never happen in areas that are protected, common or sacred**¹¹, but this proposal would guarantee it.

We believe that rights of Indigenous Peoples, local populations, and Rights of Nature threatened by mining are paramount to a just energy transition and that local communities **and people must have their say; including their Right to say No!**¹²

Communities and citizens from across Europe and all the way to Latin America who are already faced with murky mine proposals dressed in “green” are standing up to stop the new mining bonanza! While the vote came faster than expected, **we will consider all legal options available to us in the coming months and beyond in order to prevent this disastrous Act from becoming law.**

For further information please contact Taiime Smit, WeMove Europe, taiime@wemove.eu or Bojana Novakovic, Mars sa Drine Serbia, bojana@marssadrine.org.

Irene Palomino, on behalf of
Salvemos la Montana, Spain
irini.palomino@gmail.com

Catarina Alves Scarrott
Associação Unidos em Defesa de Covas do Barroso, Portugal
udcovasdobarroso@gmail.com

Ramón Balcázar Morales, on behalf of
Fundación Tantí / OPSAL Chile
ramon@salares.org

Bojana Novakovic, on behalf of
Mars sa Drine, Serbia
bojana@marssadrine.org

Zoe Lujjić, on behalf of
Earth Thrive, Uk and Serbia
Zoelujic@earth-thrive.org

Jessica Ng, on behalf of

⁸ Jerez, B., Garcés, I., & Torres, R. (2021). Lithium extractivism and water injustices in the Salar de Atacama, Chile: The colonial shadow of green electromobility. *Political Geography*, 87, 102382. <https://doi.org/10.1016/j.polgeo.2021.102382>

⁹ James J. A. Blair, Ramón M. Balcázar, Javiera Barandiarán and Amanda Maxwell (2023) *The 'Alterlives' of Green Extractivism: Lithium Mining and Exhausted Ecologies in the Atacama Desert* policy recommendations including reducing car demand in Global North countries. <https://journals.openedition.org/poldev/5284>

¹⁰ Alexander Dunlap: End the “Green” Delusions: Industrial-scale Renewable Energy is Fossil Fuel+ <https://www.versobooks.com/en-gb/blogs/news/3797-end-the-green-delusions-industrial-scale-renewable-energy-is-fossil-fuel>

¹¹ Free, Prior, and Informed Consent (FPIC) is a specific right granted to Indigenous Peoples recognised in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), which aligns with their universal right to self-determination. It is not being treated as legally binding in the Act as it stands as of 14 Sep 2023. <https://elearning.fao.org/course/view.php?id=500> <https://www.fao.org/indigenous-peoples/our-pillars/fpic/en/>

¹² European Environmental Bureau: The Right to Say No - a legal toolbox for communities affected by mining in the EU. <https://eeb.org/library/the-right-to-say-no-a-legal-toolbox-for-communities-affected-by-mining-in-the-eu/>

Center for Interdisciplinary Environmental Justice
ciej.sandiego@gmail.com

Vivian Lagrava, on behalf of
Colectivo de DDHH Empoderate/ OPSAL Bolivia
vieslaflo@gmail.com

Verónica Gostissa, on behalf of
Asamblea PUCARA/ OPSAL Argentina
veronica@salares.org

Taime Smit, on behalf of
WeMove Europe
taime@wemove.eu

Association of Ecological Organizations, Serbia
Savez Ekoloških Organizacija Srbije - SEOS
znamodanedamo@gmail.com

- i. Ljiljana Bralović - **Suvoborska Greda**
- ii. Zlatko Kokanović - **Ne damo Jadar**
- iii. Ilijana Čutura - **Eko Brigada Jagodina**
- iv. Dragan Simović - **Zaštitimo Dobrinju i okolinu**
- v. Milena Orubović Djukić - **Za čist Kosjerić**
- vi. Marica Živanović Poljo - **Neko brine za Levac**

Julia Cuadrosa, on behalf of
CooperAcción, Peru
jcuadros@cooperaccion.org.pe

Fernanda Poblete Cofré, on behalf of
Chile Sin Ecocidio,
contacto@chilesinecocidio.org

Joam Evans Pim, on behalf of
Fundação Montescola, Spain
info@montescola.org

Natalie Lowrey
Aid/Watch, Australia
info@aidwatch.org.au

Milica Damnjanović Zantvort
Extinction rebellion Serbia
xr.serbia@gmail.com