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**European Commission**  
**Directorate-General for Internal Market, Industry,**  
**Entrepreneurship and SMEs**

**DG GROW – Unit I.1. – Energy Intensive Industries,**  
**Raw Materials, Hydrogen**  
**Avenue d'Auderghem 45 / Oudergemselaan 45 / 1040**  
**1049 Bruxelles/Brussel**  
**Belgium**

**Commission adoption - Proposal for a regulation: Ref.**  
**Ares(2022)6746256 - 30/09/2022**

**Title of the Initiative: European Critical Raw Materials**  
**Act – 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) 160 final**

Stanowisko Związku Pracodawców Polska Miedź w sprawie konsultacji dot. Europejskiego aktu w sprawie surowców krytycznych – wniosek w sprawie rozporządzenia Parlamentu Europejskiego i Rady ustanawiające ramy na potrzeby zapewnienia bezpiecznych i zrównoważonych dostaw surowców krytycznych oraz zmieniające rozporządzenia (UE) nr 168/2013, (UE) 2018/858, (UE) 2018/1724 i (UE) 2019/1020.

**The Polish Copper Employers' Association position paper on European Critical Raw Materials Act – 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) 160 final**

Przyjęcie przez Komisję – Europejski akt w sprawie surowców krytycznych – wniosek dotyczący rozporządzenia Parlamentu Europejskiego i Rady ustanawiające ramy na potrzeby zapewnienia bezpiecznych i zrównoważonych dostaw surowców krytycznych oraz zmieniające rozporządzenia (UE) nr 168/2013, (UE) 2018/858, (UE) 2018/1724 i (UE) 2019/1020 – COM(2023) 160 final

**Proposal for a regulation – Commission adoption – 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) 160 final**

The Polish Copper Employers' Association, acting on behalf of its member entities, declares its readiness to join the work on 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) 160 final.

The Polish Copper Employers' Association (former Employers' Organization of Polish Copper) (Związek Pracodawców Polska Miedź) was established in 1996. We are the biggest, independent and not-for-profit regional employers' organization whose goal is to represent and protect employers' interests. We welcome a European Green Deal to put Europe on the right track to a sustainable future and is prepared to take the necessary measures to make it the world's first climate neutral continent.

As the representative of the Polish metals mining, processing and smelting industry, we welcome the Commission's initiative for raw materials. Raw materials are found at the beginning of all industrial value chains. The focus of this Regulation is on non-energy, non-agricultural raw materials that are important for the EU economy, the supplies of which are subject to a high level of supply risk. These critical raw materials (CRMs) are often indispensable inputs for a wide set of strategic sectors including renewable energy, the digital industry, the space and defence sectors and the health sector. At the same time, extraction and processing of CRMs can have negative environmental impacts, depending on the methods and processes used, as well as social impacts.

This proposal is consistent with the European Green Deal strategy and the European Climate Law. This proposal is intended to help equip the EU with the capacities that will be needed to meet its targets for producing renewable energy, for developing strategic manufacturing technologies such as semiconductors and to reach our climate neutrality objectives.

We are writing to express the support for the EU's planned Critical Raw Materials Act. We request European Commission of ambitious and urgent actions to secure the metals and minerals needed for the EU's green and digital transition.

We strongly endorse the EU to set firm 2030 headline goals for increasing its own production of strategic raw materials, at all stages of the value chain (extraction, refining, and recycling). However, the Critical Raw Materials Act must also strengthen conditions for exploration activities in Europe, secure diversified global supply sources, and advance the circular economy.

We give the following recommendations for you and the European Parliament and Council to build final shape of Critical Raw Materials Act regulation:

- Focus on the right strategic raw materials
  1. The Critical Raw Materials Act should focus on strategically important materials for the European twin transitions and other priority areas. The list's methodology is backwards looking and does not assess future demand increases and supply challenges.
  2. Europe's energy transition will also require higher volumes of materials not on today's critical raw materials list - like copper, nickel, aluminium, and high-purity manganese – which face some level of supply challenge in the next decade and a risk of future criticality.
  3. Many critical raw materials needed in the twin transitions are by-products of base metals production (copper, zinc, iron), and can only be produced in Europe through support for these primary products.
  4. Many more raw materials might be needed to enable value chains for strategic technologies, like magnesite for high temperature processes or recycling, just to name one.
- Prioritise permitting and frameworks for European projects, not only finance



1. The Critical Raw Materials Act's top priority must be to streamline permitting processes for strategic raw material projects and to optimise their operating framework. This needs to be delivered alongside proposals for improving financial support.
2. European projects face long national permitting processes of over 10 years, which need to be made much more efficient. They are also burdened by an uncertain legal framework and high OPEX compared with other regions, notably in relation to high energy costs, which must be resolved.

- Establish a dedicated EU Raw Materials Agency

The Critical Raw Materials Act should establish a dedicated EU Raw Materials Agency to carry out the monitoring and crisis management activities, as well as directing financial support to priority projects. We do not believe that these tasks will be achievable by a patchwork of national agency efforts.

- Identify and support strategic European projects

1. The Critical Raw Materials Act should include a mechanism for identifying strategic European deposit discoveries and supply chain projects that will contribute to the EU's twin transitions and other priority areas. The TEN-E regulation provides a useful reference for identifying a strategic projects list with provisions for accelerated permitting and access to public funding to resolve bottlenecks.
2. The Commission should also evaluate how to apply the IROPI (imperative reasons of public interest) provisions for strategic raw materials projects, to speed up project implementation in a way that keeps the necessary environmental safeguards in place.

- Strengthen Europe's global sourcing strategy

1. The Critical Raw Materials Act must include strong global sourcing measures alongside its priority domestic investment strategy. We support proposal that new EU financing should also be applied to strategic projects outside of Europe when tied to the domestic market.
2. We also encourage the European Commission to prioritise strategic partnerships with the regions capable of bringing new mining projects online in the next five years, e.g. Latin America for copper and lithium, the Democratic Republic of Congo for copper and cobalt, Indonesia for nickel and cobalt. This must be accompanied by assertive trade defence measures to address global market distortions.

- Take measures to advance the Circular Economy

1. The Critical Raw Materials Act must catalyse actions to improve recycling rates. The Commission should prioritise raw materials circularity in upcoming waste legislation reviews (ELV, WEEE etc) and commit to new legislation for emerging product groups (e.g. magnets).
2. It should also introduce direct measures like mandatory treatment standards for recyclers of key product groups, and actions to prevent uncontrolled leakage of key waste materials like battery black mass.
3. One objective should be strengthening the role of mining in the Circular Economy. The Commission should also evaluate how to encourage the extraction of strategic raw materials from tailings or other mining waste, and maximise industrial symbiosis (i.e. use of by-product materials in construction applications).

- Ensure high environmental and social standards



1. We share France and Germany's support to raw materials supply meeting the highest level of European environmental and social standards. This can be supported for imported materials through implementation of the Batteries Regulation's due diligence requirements and similar provisions for other product groups.
  2. There are a variety of standards available for verifying the environmental, social and governmental (ESG) performance of European raw materials projects. If the Commission does choose to benchmark these standards, we urge them to refrain from only focussing on one.
- Improve regulatory coherence
    1. The Critical Raw Materials Act should require the Commission to evaluate the alignment of other EU policies with its raw materials investment goals. In particular, the EU must seek to achieve its goals for environmental protection and safe chemicals in a joined-up way with its need to develop new mining, refining, and recycling activities.
    2. Regulatory coherence can be improved if the Commission commits to assessing its future EU policy decisions for their impacts on strategic raw materials availability for the twin transitions.

Please find attached the Euromines position we support - Euromines Policy Requests EU Critical Raw Materials Act

Yours Faithfully, ZWIĄZEK PRACODAWCÓW  
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The Polish Copper Employers' Association

The position was prepared on the basis of expert opinions from member entities and own studies of The Polish Copper Employers' Association as well as Euromines expertise