



## At European Union level

- An adequate regulatory framework to safeguard mineral deposits of public importance that facilitates future investment should be developed ensuring that mineral property rights are sufficiently protected. The initiative should also consider provisions on the mandatory publication of calls with regard to areas open for exploration and extraction of critical minerals (and mineral deposits of public importance), taking into account the "acquis" for hydrocarbures (Directive 94/22/EC). Notwithstanding that the full range of options should be considered following an appropriate impact assessment – from taking no action, to the development of guidance or of a legislative proposal.



## At European Union level

- The impact on the raw materials sectors shall be considered in the decision-making procedures of e.g. environmental, biodiversity, waste management, R&D&I, with spatial planning policies of the EU.



## At national level

- Competent authorities should consider streamlining permitting procedures, the application of the **one-stop-shop model**, and the use of **e-government solutions**, such as on-line standard forms.
- Develop a **National Minerals Policy (strategy)**, and a resulting **action plan** and update and disseminate them. **Strategies should preferably be national in the member states where raw materials policy is a national competence** – and should to ensure coherence between regional strategies – and cover all no energy mineral resources, whilst the implementation could be at different levels (national, regional, local). An authority responsible for minerals should be a clearly designated. A workshop on this topic could be foreseen.

# Policy framework



## At national level

- Where appropriate and when defined the national – or regional – policy and/or legislations need to include the concept of mineral deposit of public importance at local/regional, national and/or EU level and identify the infrastructures necessary to carry out the projects at the relevant level of importance.
- Addressing the appropriate length of time and conditions of confidentiality of geological, exploration and resource data may accelerate the investments into raw materials extraction. In Sweden and Finland companies are obliged to give their exploration data to the government when they finish their exploration activities if they do not proceed to mine project phase.

# Policy framework



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## At national level

- Applying **specific financial incentives and fiscal instruments** to encourage investment into exploration and access to raw materials, such as tax rebates for research activities such as prospecting and exploration. Fiscal incentives (understood widely as financial incentives) are important to stimulate investments (especially with regard to exploration activities). Examples from countries using fiscal incentives (e.g. Australia's tax rebate on exploration activities and Spain) should be referred to.

# Policy framework



## At national level

- The *impact of environmental, biodiversity, waste management, R&D&I, and spatial planning policies of the Member States on the raw material sector* shall be considered in the *decision-making procedures*.



## With regard to Raw Materials reporting

- Minerals management at European Union level requires a common platform for the classification of reserves and resources, without changing the reporting currently used for different purposes (INSPIRE, ESMAs).
- Mineral reporting, at EU level is desired on a regular basis (1 to 3 years).
  - Member States should be encouraged to reinforce the role of competent authorities in the management of mineral information, including national raw material resource base and materials flows surveillance.

# Information Framework



## Recommendations:

### Data on mineral occurrences and deposits

- To engage in a **delineation** of the EU areas with geological features of the current interest for metalliferous mineralisations and other concentrations of mineral raw materials.
- To describe, for the delineated areas, the **existing thematic data coverage, its scales and age**. For geochemical sampling, coverage sampling densities and the elements analysed should be indicated. For geophysics, the methods should be indicated as well as the main characteristics of the survey. (e.g. for airborne geophysics, line spacing and altitude above the soil).

# Information Framework



- To *identify data gaps* resulting from above analysis.

- The geographic scale (or resolution) of such data is of high importance. **Larger scales** (at least 1:100,000 or, preferably, 1:50,000 scale is required for geological and environmental data, as the information needs to be sufficiently detailed and precise to base policy and investment decisions.

# Information Framework



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- The ***development of a 3-dimensional data infrastructure*** assessing the mineral potential of potentially favourable zones throughout the EU ***until a depth of 1.5 km***, at minimum (knowing that is nowadays feasible to mine down to a depth of 3 km).
- Increase ***public investment*** in early stages of exploration, i.e. geophysics (airborne radiometry, magnetics, electromagnetics, in situ micro-gravimetry, magnetotellurics, seismic reflection tomography...), in scientific deep drill-holes, and in geostatistical 3D modelling and promoting the public availability of field data.

# Information Framework



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## Economic and technical data on mineral exploration and production

- It is of essence that **public authorities receive all the key economic and technical data generated by exploration** and, where appropriate, mining and/or metallurgical production activities on their territory.
- Unless there are valid reasons to secure confidentiality of **this data and information, it should be made public**, ensuring that all stakeholders have simultaneous and equal information on exploration and mining activities.

# Information Framework



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## Data on the environmental and social dimensions of mining

- **Public reporting** of the environmental and social performances of enterprises, along with their economic performances, should be actively **encouraged** by the national/regional authorities
- Reporting should be **based on existing indicators frameworks** such as the Global Reporting Initiative reporting guidelines (Mining and Metals supplement) or other national schemes developed under the European framework, like the Spanish voluntary sustainability reporting framework .

# Information Framework



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## Minerals intelligence data

- Members States are invited to exchange practises and further develop mineral intelligence data in a coordinated way at the European level in collaboration with the Commission.
- Minerals intelligence data and information needs to **describe as far as commercially possible the national and global extractive and primary metallurgical production**, its locations, ownership and control, extractive projects, production, employment created, composition of produced ores where publically available; trade; description of main uses, of the supply and demand trends and their main drivers (technological, regulatory...), etc. And the continuous updating of the data needs to be taken into account.

# Information Framework



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- It should also include the ***key supply chains and related criticality issues;*** of indicators describing governance, material inputs/ outputs all along the lifecycle of individual minerals and metals, geopolitical risks and transparency at national/ regional levels.
- ***Secondary production*** (from recycling of production waste and, separately, from end-of life products) should also be included. C&D waste recycling (close-loop or open loop) should be taken into account in EUROSTAT data.

# Land Use Planning



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## Recommendations:

- Appropriate ***geological knowledge on the potential deposits*** should be collected from a wide variety of sources and maintained. It should develop an appropriate mapping framework with the detailed definition and qualifying conditions of the concept of mineral deposits of public importance, covering all minerals with stress on the occurrence of critical minerals and defining of local, regional, national or EU interest and their safeguarding. Implement a system by which the access to mineral deposits of public importance is more firmly taken into account in the land-use planning process at the appropriate level.

# Land Use Planning



- Providing suitable ***INSPIRE Directive compliant maps of needed quality*** (including the usability/accuracy of the maps in terms of their scale) and **easy access** to and updating of is highly desirable.
- There is a need to improve practices on land use-planning. It should be **more digitalised**. Digitalisation is a vital part in streamlining the authority processes.
- In the land-use planning, the ***distances*** between the urban, highly populated or industrial areas and mineral deposits ***should be taken into account*** on the basis of national / regional mineral strategies, where different market needs and opportunities are to be defined. Supply should not exclude cross border areas within the EU or export to growth markets outside of the EU.

# Land Use Planning



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- *Transportation* of raw materials needs to be provided whether there is adequate land surface area over and near (for access routes) these deposits. This means the **safeguarding of existing or the provision of suitable road, rail or waterway infrastructure** for transporting the raw materials from the extraction to usage or processing location.
- A widely informed and balanced assessment of the different options to determine the mining sites. These options should also include otherwise protected areas in case the respective special law does allow this, in order to guarantee fair and equal considerations of **all potential uses of land**, at all places.

# Land Use Planning



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- *There should be no automatic exclusion of raw-material extraction activities in and around potentially sensitive areas* (e.g., Natura 2000). Instead,

extractive activities shall ensure that these activities do not adversely affect the values of such sites (e.g., by following the European Commission Guidance on non-energy mineral extraction and Natura 2000).

- *Capacity building of authorities* in charge of minerals land-use planning is needed.

It would allow, among other things, to consult widely and to identify; classify and safeguard mineral deposits. It should be based on an improved raw materials knowledge base as well as on agreed and recognised national / regional safeguarding criteria.

# Permitting



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## Recommendations:

- The **checklist** for the permitting minimum requirements including the EIA checklist should be as **precise** as possible and be the less burdensome as possible for the entities applying for a permit (e.g., a series of checklist modules to be applied according to requirements applying to different levels of development).
- A **straightforward procedure** should **reduce** permitting to at least **half of the time** needed for exploration/extraction permits (Good examples can be found in Québec or Australia).

# Permitting



- A **timeframe** would improve the **predictability** of the duration for the entire permitting process. The new provisions of the EIA Directive lean in the right direction but are not sufficient to eliminate the risk of unlimited time required to complete permit applications. It is important to not only make recommendations on the timeframe but also on the level (technical or political) at which the decision is to be taken, as this is often the uncertainty that causes delays.
- The granted **permit** has to be of legal certainty and should be **valid** for a preferably **long time period**.

# Permitting



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- To ensure a level-playing field, competitiveness and in the interest of social welfare, protection of employees and environment, more efforts should be undertaken to apply accurately existing EU and national legislation and in the area of law enforcement.
- Data sources providing ***capital expenditures*** and ***operating costs*** exist and should be ***used*** to estimate the ***future cost*** for the ***whole permitting process***. This should then also be available for the developer.
- When no ***data*** is provided at central level (national or regional), on ***mining in Natura 2000 sites***, it should be recommended that regional / local administration provide data to ***central level***.

# Permitting



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- There should be ***no automatic exclusion of raw material extraction*** activities in and around ***Natura 2000***. Instead, extractive activities shall follow the provisions outlined in Article 6 of the Habitats Directive to ensure that these activities do not adversely affect the integrity of Natura 2000 sites. Full application of the European Commission Guidance on Non-energy mineral extraction and Natura 2000 is necessary.



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## Indicator report – recommendations

# Recommendations for Indicator report



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## Land-use planning

- Indicator 6 shows that a digital geological knowledge base following the INSPIRE Directive is more present in the Western part of Europe. Where Member States can provide such maps, the coverage is 100% in most cases, although the scales vary.

# Recommendations for Indicator report



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## Land-use planning

- Most have thematic maps for land use planning (Indicator 7). These maps cover 100 % of the territory in scales from 10.000 to 1 million. The maps available also vary, covering metals, minerals, aggregates, quality, thickness, overburden, ground water and other thematic maps. For aggregates higher resolutions are used than for metals and industrial minerals.

# Recommendations for Indicator report



## Land-use planning

- 10 Member States indicate that land-use planning responds to national needs (Indicator 8), but only 6 Member States report that EU projects support national land-use planning needs. In many Member States, land-use planning responds to the demographic and societal changes and to the population density. In most cases, they have the tools or structures for identifying future needs for raw materials in land use plans. These tools or structures are in place mainly for construction materials.

# Recommendations for Indicator report



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# Recommendations for Indicator report



As far as **permitting** is concerned, Indicator 15 on costs should be removed or seriously changed. Indicator 14 is obvious and should be removed or refined.



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**Thank you for the efforts !**

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