
The Nature Restoration Law vs. EU Plans for Critical Raw Materials: Challenges to Protect Nature and Democracy

Adopted in

Dublin, 6-8 December 2024

The European Greens have been spearheading policies to respond to climate challenges while putting people and the planet at the top of our priorities. In the European Parliament and the national and local levels, EGP members have proposed measures to mitigate such impacts and politically address changes in production, distribution and consumption models to achieve more balanced ways of using essential resources, ensuring a reduced impact on nature and human health. Raw materials, including critical raw materials, are often produced under outrageous conditions for people and planet in the Global South. Others are extracted in states where local communities have no effective access to democratic control or legal security. However, even the best efforts for circularity and a frugal use of resources cannot avoid the need for additional critical raw materials for the green transition.

Greens all over Europe also recognise the need to bring back nature and restore those precious ecosystems which are under threat today, not only in the EU but everywhere, including the Global South. We are demanding political action to reduce pollution and ensure breathable air, clean water, and toxic-free consumer goods, to significantly reduce the risk of contamination from pollution and chemicals and tackle climate challenges. The EU's demand for critical raw materials, combined with the push to develop resource independence, increases pressure on nature. Lithium mining projects in Portugal and Serbia are two examples.

Nature Restoration Law

On 17 June 2024, EU environment ministers approved very important legislation on nature protection. The Nature Restoration Law (NRL) will contribute to the definition of binding national goals to restore degraded ecosystems, stop species extinction, and promote healthy ecosystems. The NRL provides important guidelines for restoring the health of fresh-water bodies while also improving biodiversity in agricultural ecosystems that, among other things, will improve the organic carbon stock in cropland soils and promote high-diversity landscapes.

Despite the urgent need for action, restoring nature has not been consensual, largely because of the difficulty that the EU faces reconciling public interest and environmental conservation with the pressure from interests in the energy sector, agrobusiness, super-intensive forestry and agricultural production, the agrochemical sector and, most recently, mining industries.

Need for critical raw materials

The EU's demand for critical materials – which are necessary for decarbonisation – is growing. New EU legislation aims for 10% of the EU's critical raw material consumption to be extracted in the EU to rebalance EU dependencies on third countries. The EU therefore is encouraging member countries with identified lithium deposits to increase production.

While a green transition is needed and requires the extraction of raw materials, the Critical Raw Materials Act introduced a safeguard with the “public acceptance” dossier, requiring mining project developers to engage in a transparent way with affected communities and social partners. Even in European cases such as in Portuguese and Serbia, the impact on both the local environment and people have not been shown sufficient consideration, leading to unjust and exploitative practices by Western governments and corporations. These practices have been described as neocolonial by different scholars and civil society organisations.

Portuguese and Serbian conflicts

The governments of Portugal and Serbia have seen this as an opportunity for investment, in most cases creating a fast track for licensing and ignoring the precautionary principle concerning the environmental impact of lithium mining, thus jeopardising national needs and goals regarding nature protection. In both cases, it is unclear how the governments will proceed due to strong popular demonstrations and the persistence of civic movements and Green parties and movements which have put these concerns on the political agenda.

The Serbian government has carried out unacceptable repression, including police brutality towards citizens and civil society organizations who challenge the Jadar Valley project. Arbitrary detentions, smear campaigns, unlawful surveillance of activists, physical violence, and frequent threats are some of the elements of the repression that we are witnessing against citizens in Serbia, particularly environmental activists.

The lithium mining industry, whose exploitation using open-pit models severely and irreversibly impact soils, water quality and availability, resulting in massive deforestation, soil destruction, and increased carbon emissions, is far from consensual in these countries.

Governments have opened the way for exploitation to be carried out on productive farmlands, which is the case in Serbia's Jadar Valley and the Portuguese region of Barroso.

In Portugal, these projects overlap with ecologically sensitive areas and are close to protected and classified areas, such as Natura 2000 areas or Food and Agricultural Organization (FAO) classified agricultural areas. These projects will therefore create extreme impacts on the landscape, the identity of rural regions, food production, and the economic sustainability of communities. Lithium extraction – which aims to provide for decarbonisation solutions – cannot be done in regions which are suffering from severe drought, water scarcity, and devastating forest fires, such as Portugal. This option is therefore not a long-term solution to climate change in these territories. On the contrary,



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it is a problem and will soon become a huge burden for future generations due to the environmental liabilities it will leave behind.

In Serbia, the population fears that the lithium mine will pollute water sources and endanger public health. After years of public protests, the Serbian government recently signed a memorandum of understanding with the EU which is seen as the first step towards exploiting Serbia's lithium resources. Extraction and processing of lithium in the Jadar Valley, planned by the Rio Tinto company, would significantly harm the environment, creating a devastating impact on the surrounding areas of farmland, forest groundwater, and soil, leading to a loss of biodiversity and the accumulation of large amounts of hazardous waste.

These political options have been guided by subservience towards economic objectives, conducting the energy transition without social and environmental justice, mainly due to the failure to make exploration sites compatible with areas of lower environmental and socio-economic impact.

We oppose both the EU's and governments' hasty granting of licences for lithium extraction projects that reduce environmental criteria while exempting mining companies from thorough environment and socio-economic impact assessments. For the sake of global justice, the EU must work alongside its partners, especially bordering countries and Global South countries to develop sustainable trade and cooperation agreements, that uphold the right of each party to regulate the quantities of critical raw material exchanged and ensure a high level of sustainable development and climate and human rights protection. The EU must show leadership by supporting its partners to ensure that their raw materials supply chains become exemplary regarding environment, workers and human rights. We must fight for the highest environmental, social, democratic and labour standards to be used for mining activities that are in line with the wishes of those affected in the EU and beyond.

These regions cannot be sacrificed and made to give up their agricultural livelihoods and, potentially, regional ecosystems. Efforts must be made to protect nature – particularly water resources, fertile soils, and biodiversity – as well as the food sovereignty of member states and candidate countries.

The other side of the coin

Nature must be protected, not only on EU territory, but everywhere. The EU's overconsumption of digital technologies is feeding the need for critical raw materials such as lithium, cobalt, and gold. Up until now, rare earth minerals have essentially been mined in the Global South, in mines where the respect for fundamental rights and environmental law is far from ensured. Ensuring stricter standards for lithium mines on EU soil, which are laid out in this resolution, does not mean that we are coming up with excuses for continuing to source our critical raw materials from the Global South, but rather about questioning our own overconsumption practices and fighting for the protection of nature and people everywhere.

The European Greens parties gathered in Dublin demand further and strengthened actions on the processes around lithium exploration projects that ensuring that the following steps are taken:

- Immediately end arbitrary detentions, physical violence, and unlawful treatment of people in Serbia who are challenging lithium exploration projects
- Ensure transparency and the democratic participation of local populations and communities, NGOs, and the scientific community
- Ensure that partner governments fully embrace the precautionary principle
- Rigorously assess the environmental impact of future projects, both in the EU and the partner countries, so that biodiversity is safeguarded where exploitation is conducted
- Ensure that projects meet the criteria of the EU Water Framework Directive respecting integrity, livelihoods, and the cultural heritage of rural regions
- Ensure European support for the creation of added value, such as battery production, in the mining region or country, provided lithium extraction can be carried out responsibly according to the above criteria



- Make sure that all future collaboration for lithium extraction takes place only following a procedural approach that includes close collaboration, participation, and support from local residents in affected areas

Background

Since early in 2019, Os Verdes have been supporting the local populations of Barroso in Portugal and protesting against the open-pit lithium mining in their region, not only among our MPs who were in parliament at the time (see parliamentary requests [here](#) and [here](#)), but also by participating in [local and national demonstrations](#) against these projects. EGP Co-Chair Thomas Waitz stated recently that the European Greens support Serbians protests against lithium mining in the Jadar Valley.

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