

**THE CRITICAL RAW
MATERIALS ACT: EFFICIENCY
PAID BY THE ENVIRONMENT
AND OUR RIGHTS?**



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Abstract

This article critically examines the EU Critical Raw Materials Act (CRMA) as a response to growing geopolitical vulnerabilities in the supply of strategic minerals. While the Regulation aims to enhance EU strategic autonomy through accelerated permitting and the designation of strategic projects, it raises significant concerns regarding environmental protection and fundamental rights. The analysis explores tensions between the CRMA and existing EU legal frameworks, including the Aarhus Convention, environmental impact assessment regimes, and nature protection law. Particular attention is paid to shortcomings in public participation, transparency, and access to justice. Drawing on recent controversies and comparative case studies, the article argues that the CRMA risks prioritising efficiency over legal safeguards. It concludes that without stronger procedural and substantive protections, the Regulation may undermine both rights protection and its own long-term effectiveness.

Introduction

Over the past five years, the international order has undergone a significant transformation marked by the return of great-power politics and the consolidation of regional bloc dynamics. Events such as the Russian invasion of Ukraine, the supply-chain disruptions caused by the COVID-19 pandemic, and the growing use of economic instruments for geopolitical purposes have exposed the European Union's structural vulnerabilities. Measures such as the restrictions imposed by the People's Republic of China on the export of critical minerals, as well as energy embargoes affecting Russia, Iran, and Venezuela, illustrate how these "grey-zone" strategies have become normalized, posing unprecedented risks to a Union still anchored in a multilateral and open-trade model.

These vulnerabilities are particularly acute in the field of critical raw materials. The EU has very limited extraction and processing capacity and holds only modest reserves, leaving it exposed to external shocks that threaten strategic pillars such as defence, the energy transition, and digitalisation. These raw materials are essential for the production of defence systems, semiconductors, electric vehicles, and clean technologies, and demand is expected to increase exponentially over the coming decade. This situation is

further aggravated by the near-monopolistic control exercised by the People's Republic of China over the processing of numerous strategic minerals, placing the EU in a structurally asymmetric relationship with little room for manoeuvre in future negotiations and external shocks. (European Commission, 2025)

Following the recommendations of the Draggi and Letta reports and in an effort to address the shortcomings of the CRM legal framework, the EU began developing a new piece of legislation in 2021 aimed at strengthening its strategic autonomy, which materialised in the adoption of the Critical Raw Materials Act (CRMA) in 2023, in force since 2024 (European Commission, 2024). The CRMA establishes binding targets for domestic extraction, processing, and recycling, as well as limits on dependence on third countries, with the objective of diversifying supply chains and increasing the resilience of the internal market to external shocks. (European Commission, 2023)

From a regulatory perspective, the Regulation also seeks to overcome historical obstacles that have hindered the development of extractive projects within EU territory, including administrative complexity, social opposition, environmental concerns, and legal uncertainty (Marhold, A.; Oikonomopoulou, E., 2025). Past and present experiences, such as the Roşia Montană gold mine project in Romania or the recently relaunched lithium extraction project in Jadar, Serbia which will be assessed later in this article highlight the central role of individual rights and environmental protection in this context. To accelerate project development, the CRMA grants certain strategic projects a status of public interest, significantly reducing authorisation timelines and prioritising access to judicial review. (European Commission, 2023)

Nevertheless, the CRMA has attracted substantial criticism, unavoidably so, given the nature and reach of the legal project. Non-governmental organisations and civil society actors warn that the Regulation may weaken substantive and procedural safeguards for individual and environmental rights, developed both within and outside the EU, where in the latter effective oversight and access to justice are less certain (Villén-Pérez, S., Anaya-Valenzuela, L., Conrado da Cruz, D., & Fearnside, P. M., 2021). Against this backdrop, this article aims to critically assess whether these criticisms arising from the legal design of the CRMA and their interplay with the existing legal framework of the EU present real legal challenges that could need to be addressed in the future.

As previously stated, the CRMA aims to provide an acceleration lane for strategic mining projects, which are granted an overriding public interest status, thus enabling a facilitated pathway to begin operations, in line with the needs of the EU (European Commission, 2023). Nonetheless, this framework, as per the legal provisions of the CRMA, requires compliance with already existing EU and national environmental, sustainability and individual rights legal frameworks, such as the CFREU, Aarhus Convention, the EIA, the SIA... (European Commission, 2023) Hence, any potential facilitation of permit granting or fast tracking must still remain in compliance with the burdening weight of the EU legal system, often credited as one of the main setbacks to begin mining operations in the territory of its member states, despite claims from institutions placing the blame on

other shortcomings, such as adequate financing (Leichthammer, A. 2024). Balancing both acts seems to have arisen criticism both from the companies involved and civil society. Whilst the latter welcomes the efforts of the EU to expand its mining operations, civil society actors such as NGOs and environmental and sustainability tracking groups have warned about the legal design of the regulation, which in its implementation can lead to effective violations of the legal provisions that the CRMA ought to respect. (ClientEarth, 2025; European Environmental Bureau, 2023)

Public participation

The first concern that parties have brought forward is that throughout the selection process of strategic projects by the European Commission, stakeholders have found limited tools for providing relevant input that could have a meaningful effect on the decision making process. The CRMA does not grant in its legal design any binding procedure that precludes authorization or permission granting to the approval of civil society or affected stakeholders. Article 6 and Article 7, alongside Annex III of the CRMA lay down the requirements for the selection of these projects. Whilst public participation is encouraged and promoters of the projects must engage with the population in a meaningful way, explicit public participation provisions seem not to be guaranteed nor mentioned (European Commission, 2023). This choice of legal design contrasts with the legal provisions in the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention), recognised as a pillar to environmental and sustainability legal limits of the CRMA in Article 11 of the CRMA (European Commission, 2023). Despite not being directly applicable law, it has been invoked as a general principle in various instances of the CJEU, and a large number of MS as well as the EU itself are parties to it, being bound by its content. In Article 6 of the Aarhus Convention, participation rights in the decision making procedures involving environmentally impacting activities in parties to the Convention are clearly stipulated, providing that it is an activity that falls under the foreseen activities that are described in Annex I of the Convention: Mineral Ore production and extraction:

- The public participation procedures shall include reasonable time-frames for the different phases, allowing sufficient time for informing the public in accordance with paragraph 2 above and for the public to prepare and participate effectively during the environmental decision-making.
- Each Party shall provide for early public participation, when all options are open and effective public participation can take place.
- Each Party should, where appropriate, encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding

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Notwithstanding the efforts shown by the EU to reconcile efficiency with the guarantees of the public to interact in the governance of their territory, it appears to have not found a suitable legal formula that allows for the effective potential involvement of the public in the designation of strategic projects, as well as in the participation of the granting and permitting of the mining activities. The European Commission has unilaterally remained the sole institution to act as the designator of strategic projects. As a result, the provisions in the CRMA, whilst projecting an image that aims to reconcile an expedited procedure to ensure the objective laid down by the Regulation, can, in practice, potentially hinder the ability of the public to participate in the process of the development of mining and mineral processing operations, despite clear intentions to include participation by the public as a core pillar of the regulation.

In an attempt to bridge this lack of public participation in the designation of strategic projects, the CRMA has developed the CRMA Board, which, among its objectives, aims to:

- Provide an opinion to the Commission on the selection of strategic projects and discussing their implementation.
- Discuss and share best practices on permitting of critical raw materials projects, including strategic projects.
- Support the Commission in developing monitoring of critical raw materials supply chains and in conducting stress tests.

European Commission, 2023

The members of the Board encompass national representatives, with the aim of including civil society representatives on a request basis by the permanent members. Consequently, oversight outside national and EU institutions is challenging, hindering the ability of the parties to effectively provide oversight over the activities under the CRMA framework. Legal tensions and uncertainty stemming from the ambiguous configuration of the CRMA have crystallised in Finland and Sweden and the indigenous Sámi people inhabiting the northern areas of both countries. The Critical Raw Materials Act (CRMA) is not fully compatible with existing legal frameworks protecting Indigenous and environmental rights. While the act repeatedly references sustainability, human rights, and Indigenous peoples, it weakens these protections in practice by prioritising fast-tracked permitting and strategic urgency over substantive legal safeguards. Core Indigenous rights frameworks, such as Free, Prior and Informed Consent (FPIC) under ILO Convention No. 169 and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), are not legally embedded in the CRMA, despite appearing in non-binding guidance and annex references. The removal of FPIC from the final legislation illustrates this gap. Responsibility for safeguarding Indigenous rights is largely delegated to member states, yet key CRMA-affected states such as Sweden and Finland lack domestic legislation that guarantees consent, relying instead on consultation requirements that fall short of international standards. (Krogus, M., 2025).

The European Environmental Bureau spoke on this matter, claiming that solutions remained feasible. Their core belief remains to be that streamlined permitting should not come at the cost of environmental legislation or meaningful community participation. In order to achieve such a goal they propose that every project should have an environmental and social impact assessment and provisions regarding tacit approval of permitting procedures (Article 10.4) and the overriding public interest clause (Article 7.2) should be deleted. At the same time, they vow to include mandatory “pre-permitting” procedures with early involvement of all affected communities. Furthermore, they want to modify Article 13, as they claim it should reference the complete Aarhus Convention instead of only Articles 6 and 7 as well as corresponding regional agreements such as the Escazú-Agreement, as well as they aim to modify the provision concerning engagement with local communities, which should make explicit reference to established international frameworks, such as Article 27 of the International Convention of Civil and Political Rights, the UN Guiding Principles on Business and Human Rights (UNGPR), the OECD Guidelines for Multinational Enterprises, UNDRIP, and ILO Convention 169. Finally, in order to guarantee that this version of the CRMA materialises in its implementation, they demand for the creation of a subgroup on sustainability and responsible mining within the CRM Board to include civil society and Indigenous Peoples representatives. (European Environmental Bureau, 2023).

Transparency

On a similar note, several environmental activism platforms and NGOs such as ClientEarth and the European Environment Bureau have shed some light over potential deficiencies in the legal design and implementation of the CRMA. The former, with a long trajectory of environmental rights protection, has pointed out that beyond the participatory rights of the public in the decision making processes of the activities under the CRMA, they are facing regulatory constraints from the governments and the EU to access environmental information (ClientEarth, 2025). This past July ClientEarth launched a formal complaint to the European Ombudsman, in which it outlines several deficiencies regarding the transparency of the procedures stemming from the CRMA, starting with the lack of information on the projects that applied for the status of strategic projects, or a summary of their applications, or the assessment process itself. Under Article 6(1)(c) CRMA, project promoters must ensure meaningful engagement with the communities affected, yet by withholding the information, distrust and potential litigation might ensue, given that if the selected project complied with the rest of the criteria, there should not be any problem to disclose basic information to the affected parties, unless that was not the case. To date, multiple access to information requests have been filed by non-governmental organisations to access parts of information about the project applications held by the Commission.³ They have all been either left long overdue without a response or rejected with varying grounds, including protection of the EU’s defence and military strategy on lithium used for those purposes, and economic policy objectives. Therefore, we observe that the EU is using the exceptional clause in The

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Aarhus convention to provide legal coverage for access information request denials . In Article 6, it is conceived that environmental information can be withheld from the public in cases when national defence purposes are involved on a case-by-case basis. (UNECE, 1998)

Nonetheless, the legal design of the Aarhus convention gives way for litigation procedures to build up, given that justification of national defence purposes does not necessarily prove to be airtight or bulletproof under all circumstances. As a matter of fact, in CJEU case *Stichting Natuur en Milieu* (C-266/09), the Court awarded the plaintiff access to environmental information regarding the emissions of an industrial activity, despite employing a similar argument through Article 4(2)(d) of the Directive on Public Information, that allows for the parties to deny information requests on the basis of the confidentiality of commercial and industrial information where such confidentiality is provided for by national or Community law to protect a legitimate economic interest, including the public interest in maintaining statistical confidentiality and tax secrecy. The Court favoured the plaintiffs, overturning previous decisions and granting access to environmental information, as that piece of information regarding emissions would override the exception provision. Thus, this ruling establishes the reasoning that public authorities cannot use general, blanket provisions to refuse access. They are required to conduct a specific, case-by-case balancing exercise between the confidentiality interest and the public interest in disclosure. Applied to the strategic projects designated under the CRMA, we observe that the legal provisions of the Regulation are not strong enough to entice both the public institutions and the project developers to deliver on their obligations, rendering this negative as the necessary percussor of future legal battles at the national and EU level that will necessarily defeat the purpose of the legislation, as it will necessarily lead to expanded permission expenditure and infrastructure development time frames. Furthermore, NGOs and other civil society actors are capable of launching legal campaigns against these projects, as they are granted such powers after the CJEU *Djurgården-Lilla Värtans Miljöskyddsförening* (C-263/08) and *Bund für Umwelt und Naturschutz Deutschland (Trianel)* (C-115/09) cases allowed to do so.

Taken together, these design features reveal a deeper normative tension between the CRMA and the Aarhus Convention. The Convention embodies a model of environmental governance grounded in transparency, participation, and accountability, whereas the CRMA reflects a paradigm of strategic administrative acceleration. Although procedural rights are formally preserved, their practical effectiveness is weakened through compressed timelines, information asymmetries, and limited avenues for judicial review. From the perspective of EU constitutional law, this raises serious concerns under Articles 37, 41, and 47 of the Charter of Fundamental Rights, as well as under the general principles of EU law articulated by the CJEU since *Nold* (Case 4/73).

The lack of effective transparency from the EU and the promoters does not stop in the aforementioned imbalances. The full reasoned decisions concerning individual projects have not been published and remain inaccessible to the public despite the Commission's

obligation to reason its decision (Article 7(9) CRMA). Recitals (7) and (8) to the Decision merely state that: “The Commission assessed those applications in accordance with the criteria specified in Article 6(1) of Regulation (EU) 2024/1252, with the support of external experts with professional expertise in the technical, financial, environmental, social and governance (ESG) dimensions of a project, [...] and listed in the Annex to this Decision the projects that fulfil all the criteria provided for in Article 6(1) of Regulation (EU) 2024/1252, and which should therefore be recognised as Strategic Projects under that Regulation.” The Complainant notes that the Commission has published a so-called fact sheet on each of the strategic projects, however they all follow the same one A4 page format, with roughly two-thirds of the page being covered by pictures and basic information such as the title, type of project, location, project promoter, with no information on how the project fulfils the environmental or social sustainability criteria under the CRMA. The Commission also appears to prevent Member States from disclosing any information to the public. For example, in January 2025, the Finnish government informed the public about its decision to refrain from using its right to object in relation to 16 Finland-based projects. The Finnish government expressly referred to the Commission-mandated confidentiality as the reason for providing no more details. (ClientEarth, 2025)

Other environmental frameworks collisions

The CRMA also collides with several core normative frameworks of EU environmental law. Most notably, tensions arise with the Environmental Impact Assessment (EIA) Directive, which is grounded in a preventive logic requiring that projects likely to have significant environmental effects be assessed before development consent is granted and that the assessment meaningfully informs the final decision. Article 2(1) EIA Directive obliges Member States to ensure that such assessments are carried out “before consent is given,” while Articles 5 to 8 require the provision of complete environmental information, public participation, and due consideration of consultation results.

By contrast, the CRMA introduces binding procedural acceleration for designated strategic projects. Articles 6, 7, and 10 CRMA impose strict maximum time limits for permitting procedures and require the designation of competent authorities to ensure compliance. Although the Regulation formally applies “without prejudice” to Union environmental law, these fixed deadlines create structural pressure on national authorities to compress EIA procedures. This risks undermining Article 5(1) EIA Directive, particularly in the context of mining projects, where the collection of adequate baseline data often requires long-term or multi-seasonal studies.

The conflict is especially acute with regard to public participation. Article 6(2) and (4) EIA Directive requires that the public be informed early and given effective opportunities to participate when all options remain open. The CRMA’s fast-track logic risks displacing participation to later stages of the permitting process, when project parameters are already largely fixed to meet strategic timelines. Therefore, while the CRMA does not formally

derogate from the EIA Directive, its regulatory design risks hollowing out the Directive's preventive and participatory function in practice.

Similar shortcomings arise in relation to the Strategic Environmental Assessment (SEA) Directive. The SEA Directive requires environmental assessment of plans and programmes that set the framework for future development consent, a concept interpreted broadly based on substantive effects rather than formal classification. The CRMA establishes several instruments that arguably qualify as plans or programmes within the meaning of Article 2(a) SEA Directive, including EU-level benchmarks for extraction, processing, and recycling, national exploration programmes, and the designation of strategic projects. Taken together, these measures structure national decision-making and prioritise specific forms of development. Despite this, the CRMA does not require a systematic SEA of these strategic orientations, effectively deferring environmental assessment to the project stage. This undermines the SEA Directive's upstream function of assessing cumulative impacts and reasonable alternatives, as required by Article 5 SEA Directive.

The CRMA further raises concerns in relation to EU nature conservation law. The Habitats and Birds Directives impose strict obligations to protect Natura 2000 sites, with Article 6(3) Habitats Directive requiring that projects be authorised only where no adverse effects on site integrity are established, irrespective of economic or strategic considerations. The CRMA's designation of strategic projects does not exclude Natura 2000 areas nor clarify how conflicts with Article 6 assessments should be resolved. Given that many critical raw material deposits are located in or near protected areas, this omission is legally significant. While Article 6(4) allows derogations for imperative reasons of overriding public interest, it is clear that such derogations must remain exceptional. The CRMA's framing of raw materials as strategically essential risks normalising reliance on Article 6(4), thereby weakening the binding nature of Natura 2000 protections.

Comparable tensions arise with the Water Framework Directive (WFD), which establishes binding non-deterioration obligations and allows exemptions only under strict conditions. Raw material extraction poses significant risks to surface and groundwater, and the CRMA's accelerated permitting regime risks constraining the thorough hydrological assessments required under Article 4 WFD. Institutional pressure to deliver projects within fixed timelines may lead authorities to interpret "overriding public interest" broadly, undermining the WFD's function as a hard ecological constraint.

Finally, the CRMA sits uneasily alongside the Nature Restoration Law and the Biodiversity Strategy, which imposes positive obligations to restore degraded ecosystems and achieve binding restoration targets. The CRMA does not integrate these obligations into its project designation or permitting framework, creating a risk of contradictory EU legal duties. Member States may be required simultaneously to fast-track environmentally intensive projects and meet legally binding restoration objectives in the same areas,

undermining legal certainty and the effectiveness of restoration commitments. (Ehrmann, C.; Vesa, S., 2025).

Despite the clear impact on the environment, nature and population that would ensue by ignoring these frameworks, the European Parliamentary Research Service laid down that this overriding public interest status granted by the strategic project label would necessarily allow for the projects to do so under CRMA and the other frameworks criteria. Once again, this approach generates a case by case analysis that potentially increases the chances to create legal conflicts. (Gyorgyi Macsai, Samy Chahri, & Guillaume Ragonnaud, 2024)

Illustration of spillover effects from ignoring legal provisions

These legal design criticisms not only defeat the aim of other legal provisions of EU law and international conventions, but stemming from these contradictions the CRMA also fails to deliver the intended result of the EU, which is to accelerate the development of extraction projects in EU territory in a timely manner. Cases like the Roșia Montană and the Jadar mine in Serbia illustrate how these trends might be not resolved by the current CRMA fast-tracked procedure. What makes the Roșia Montană case especially relevant for evaluating the CRMA is not merely the environmental high stakes involved but the structural procedural conflicts that emerged between communities, authorities, and investor dispute processes. In the earliest phases of the project's environmental impact assessment (EIA), the Romanian environmental authorities failed to widely notify affected parties about the initiation of the EIA and omitted to conduct true scoping with public participation, a core requirement under Articles 6(2) and 6(4) of the Aarhus Convention and implementing EU law. Civil society organization Alburnus Maior documented that the project documentation lacked essential information about environmental, social, and cultural impacts, yet public engagement was limited or effectively sidelined during critical stages.

This initial procedural gap illustrates a fundamental design flaw similar to what critics identify in the CRMA: the preservation of formal processes (e.g., an EIA) without ensuring meaningful public engagement in practice. Under both the Aarhus Convention and EU law, public participation must be timely, informed, and capable of influencing decisions, not a perfunctory step undertaken after much of the substantive assessment has already been completed. The early Roșia Montană proceedings lacked transparency and failed to include affected populations meaningfully, highlighting the danger of procedural formalism devoid of real engagement.

The case also reveals how lack of transparency can feed public distrust and undermine legitimacy. Throughout the arbitration between Romania and Gabriel Resources at the International Centre for Settlement of Investment Disputes (ICSID), both the Romanian state and the investor resisted transparency, keeping many key documents hidden from the public for years. Civil society and rights organizations criticized this opacity, noting that such secrecy undermined citizens' rights of access to information and participation,

given that the tribunal's procedures were not designed to allow affected communities to present evidence or participate directly. Tribunals at ICSID generally provide for *amicus curiae* submissions at best, which do not guarantee that local voices or factual testimonies are included in the deliberations, as occurred when the tribunal excluded not only local testimonies but also legal arguments from the amicus briefs in the case.

The problems pointed out in the CRMA seem to contrast with lessons to be learnt from past development projects. The Roșia Montană gold mine project development in Romania starkly demonstrates how the lack of transparency and effective engagement with stakeholders, as well as a disregard for the environmental and humanitarian impact can stall any progress in the development of projects, to the point of it never materialising. The company, Gabriel Resources, presented dubious reports on the sustainability of the project, the economic benefits for the Romanian state and the local population and refused to allow local participation in the decision making process. As a result, widespread protests against the open pit mining project that would not have only destroyed the natural beauty and the cultural heritage of the area, but also greatly impacted the environment led to the stalling of the project and the subsequent lawsuit through an ICSID procedure between the Romanian state and the company. Recently, the Romanian state has emerged victorious from this endeavor, and in 2021 UNESCO recognised the region as a heritage site, granting it special protection. Finally, the eventual outcome, where Romania successfully defended itself against multi-billion-dollar claims by Gabriel Resources, does not diminish the procedural criticisms; rather, it shows that even favorable substantive outcomes for states do not resolve the underlying structural issues of participation and transparency. The fact that local communities and environmental NGOs had to rely on activism, press coverage, and external legal interventions to make visible the impacts of decades of decision-making underscores that procedural design matters as much as substantive outcomes. Policymakers drafting or implementing the CRMA should therefore draw from Roșia Montană the lesson that procedural legitimacy, rooted in transparency and participatory justice, is indispensable for both environmental protection and social acceptance of strategic industrial decisions. (Szabo, A.; Longo, S, 2022)

Even if there has not been precedent yet over the provisions of the CRMA, we can observe that its impact on societies is identifiable through other relevant cases such as the recently reactivated Jadar Valley mining project in Serbia, which was granted the strategic project status by the European Commission this past year, and. Despite not being located within EU space, it poses a potential future legal challenge for the European Commission as well as CJEU . Rio Tinto, the main developer, has claimed in the past that they would be able to proceed with their mining operations without disturbing other economic activities and population settlements in the area. Nonetheless, several farmers claimed that at the beginning of the mining operations their livelihoods were severely distorted, with crops no longer growing in the affected areas. Furthermore, the scientific community, NGOs and activists, as well as the general public have aligned against the project, citing environmental hazards and negative spillover effects as their opposition to the project. The community has also denounced several political decisions that violated transparency,

public participation and constitutional legal requirements. Halted in 2022 by the central government, it seems to have found a renewed strength in 2024 through the reversal by the Serbian justice of the decision, deeming it unconstitutional, and the aforementioned designation as a strategic project by the EC. Consequently, Rio Tinto claims that this designation acts as a guarantee of its sustainability, and that it will be acknowledged in their report due to be presented in upcoming months and presented to the EC. Yet again, civil society and other stakeholders have been sidelined, sparking protests that have been met with violence and repression from the Serbian government. Thus, the Jadar example illustrates yet again the importance of respecting the stakeholders involved, at the risk of the halting or delay of the project developed, defeating the original purpose of the CRMA.

Conclusion

The Critical Raw Materials Act represents a sincere and strategically coherent response by the European Union to an evolving geopolitical, economic, and technological landscape. Faced with increasing global competition for materials essential to the green and digital transitions, the EU's objective of reducing external dependencies and enhancing supply security is both rational and legitimate. The CRMA reflects a clear policy rationale: to ensure that climate, industrial, and technological ambitions can be pursued without exposing the Union to excessive vulnerability in global supply chains.

Several aspects of the Regulation warrant positive recognition. The CRMA explicitly acknowledges sustainability and responsible sourcing and repeatedly affirms that it applies "without prejudice" to existing EU environmental law. Its emphasis on recycling, circularity, and supply diversification demonstrates an approach that goes beyond a purely extractivist model. Moreover, by establishing common benchmarks, identifying strategic projects, and streamlining administrative coordination, the CRMA introduces a level of predictability and coherence that has long been lacking in EU raw materials governance. From an industrial perspective, this may reduce legal uncertainty and facilitate investment aligned with EU policy objectives.

At the same time, the CRMA's legal design reveals significant shortcomings. While it does not formally derogate from environmental legislation, its focus on acceleration and strategic prioritisation places sustained pressure on the effective application of key EU instruments, including the EIA and SEA Directives, nature protection law, and water protection frameworks. Compressed timelines and fast-track procedures risk reducing environmental assessment and public participation to procedural formalities rather than substantive safeguards, contrary to the preventive logic of EU environmental law and the principle of environmental integration under Article 11 TFEU.

More fundamentally, the Regulation raises concerns regarding the protection of individual and human rights. Public participation, access to information, and access to justice are recognised as fundamental procedural rights under EU law, the Aarhus Convention, and the Charter of Fundamental Rights. Where accelerated permitting limits

the ability of individuals and civil society to meaningfully engage in decision-making or challenge environmentally harmful projects, the CRMA risks marginalising affected communities and weakening rights protection, particularly in regions disproportionately impacted by extractive activities.

The tension created by the CRMA therefore lies less in explicit legal conflict than in normative imbalance. By elevating supply security and industrial strategy to a position of practical dominance, the Regulation risks weakening the effective force of environmental protection and individual rights. This imbalance may undermine legal coherence, increase litigation, and generate public resistance, ultimately jeopardising the CRMA's own objectives.

In conclusion, the CRMA embodies a necessary and well-founded policy ambition, but sound objectives cannot compensate for deficiencies in legal design. Without stronger safeguards to ensure the full effectiveness of environmental law and fundamental rights, the Regulation risks departing from the Union's constitutional commitment to sustainability, the rule of law, and the protection of human dignity

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