

Appendix: Evaluation of amendment proposals

CLEPA objective	CLEPA position
<p><i>Feasible implementation strategy to realise objective of a secure, resilient and diversified supply of raw materials</i></p>	<p>CLEPA supports:</p> <ul style="list-style-type: none"> • European Parliament common position: amendment 1.2a ii “Up to 20% of the Union’s new processing capacity might be developed under strategic partnerships in emerging markets and developing countries.” → third countries would be better than emerging markets and developing countries • European Parliament common position: amendment 5.1a ii “contributes to the supply of strategic technologies through the substitution of any of the strategic raw materials outlined in Annex I, Section I within the value chains of those strategic technologies, while taking measures to achieve an equal or lower environmental and material footprint compared to the material that is substituted.” • European Parliament common position: amendment 35.6da “a subgroup bringing together industrial alliances and other relevant industry stakeholders covering the entire critical raw materials value chain,” • European parliament common position: amendment 35.8 “Where appropriate, members of the Board shall (S&D 953), invite experts representing industry, civil society, academia, trade unions (S&D 949, 951, AFET), other third parties or representatives of third countries, as well as representatives of local and regional authorities (EPP 947, REGI) to attend meetings of the standing or temporary sub-groups referred to in paragraph 6 as observers or to provide written contributions.”
<p><i>More focus on strategic investment, less on supply chain surveillance</i></p>	<p>CLEPA supports</p> <ul style="list-style-type: none"> • European Parliament: deletion of article 23 • Council General Agreement: amendment 15.1a “The standing sub-group referred to in Article 35(6) shall 2 years after entry into force of this Regulation submit a report to the Board describing obstacles to access to finance and recommendations to facilitate access to finance for Strategic Projects.” • European parliament: amendment 20.2a “Large companies identified under this paragraph shall only be required to submit information they collect as part of already existing monitoring exercises or stress tests, to the extent that such information is already available. The large companies shall not be required to submit any data that includes business risk. Member States shall ensure that that information is treated in accordance with Article 44.” • Council: article 6.9a “Strategic Projects that no longer fulfil the criteria set out in Article 5(1) due to updates of Annex I shall maintain their status as Strategic Projects for 3 years.” • European parliament: amendment 20.4 “Member States shall, after consulting relevant stakeholders along the critical raw materials value chain, develop a single template to be filled in by large companies for answering the surveys referred to in paragraph 2, point (a).”
<p><i>Foster circularity by increasing material recovery rate and foster R&I for circularity</i></p>	<p>CLEPA supports</p> <p>Amendments to support R&I/circularity business models</p> <ul style="list-style-type: none"> • European Parliament: amendment 1.2da “promote development and deployment of substitute raw materials by fostering production methods to

	<p><i>substitute raw materials and research and development of alternative innovative materials to lower the Union’s environmental footprint.”</i></p> <ul style="list-style-type: none"> • European Parliament: amendment 25.1c <i>“promote the refurbishment of Products... or considering financial incentives for the use of such materials.”</i> → CLEPA recommends to refer to refurbishment or remanufacturing of products. • European Parliament: amendment 25.7a <i>“The Commission shall, after consultation with concerned stakeholders, develop dedicated waste codes for lithium-ion batteries and intermediate waste streams (‘black mass’).”</i> • European Parliament: amendment 29.1 <i>“Government, <u>industry associations or groupings of interested organisations</u> that have developed and oversee certification schemes related to the sustainability of critical raw materials (‘scheme owners’) may apply to have their schemes recognised by the Commission.”</i> <p>Amendments to permanent magnet provisions</p> <ul style="list-style-type: none"> • European Parliament: amendment 27.3 <i>“The data carrier shall, under no circumstances, contain or give access to commercially sensitive information.”</i> • European Parliament: amendment 28.3: <i>“In duly justified cases, different minimum shares may be applied for different products or certain products may be excluded from this obligation.”</i> <p>CLEPA would support an amended version of</p> <ul style="list-style-type: none"> • European Parliament: amendment 25.1ae <i>“increase the possibilities to recover critical raw materials from products-increasing their recyclability, at least by including support actions to that effect under national R&I programmes.”</i> → <i>“Including support actions under national R&I programmes to increase the possibilities to recover critical materials through changes in the design of those products or increasing their recyclability”</i> Justification: It is important to avoid the suggestion that regulations could define product design. Instead industry should be incentivized to adopt circular design through R&I support or strategic public procurement, which could include circular design as a condition in public tenders. • Council: amendment 28.3: <i>“After the entry into force of the implementing act under paragraph 2 and no later than 31 December, 2032 the Commission may adopt delegated acts under paragraph 3 supplementing this Regulation by laying down minimum shares for neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from post-consumer and manufacturing waste that must be present in the permanent magnet incorporated in the products referred to in paragraph 1.”</i> Justification: It is unclear today whether minimum targets will be needed and feasible, as this will depend on how the circular economy will develop. 2032 will be a more feasible date, but we should only adopt delegated acts, if needed and effective, which we cannot assess today. Manufacturing waste consists of materials rejected during the manufacturing process, which cannot be re-used as an integral part in the same process and need to be recycled (in accordance with the definition used in the battery regulation). Including manufacturing waste in the waste definition will accelerate the development of the necessary recycling infrastructure.
<p><i>Avoid duplicate circularity requirements</i></p>	<ul style="list-style-type: none"> • CLEPA proposed amendment to article 27: <i>“permanent magnets used in electric motors falling under the scope of Regulation (EU) [add footnote with publication references of the end of life vehicles regulation].”</i>